

**MONTGOMERY COUNTY PLANNING COMMISSION**  
**November 19, 2008 @ 7:00 P.M.**  
**Board Room, Government Center**

**AGENDA**

**CALL TO ORDER:**

**DETERMINATION OF A QUORUM:**

**PUBLIC ADDRESS:**

**APPROVAL OF AGENDA:**

**APPROVAL OF CONSENT AGENDA:**

**PUBLIC HEARING:**

**OLD BUSINESS:**

1. SU-2008-06129 - Request by **Oak Forest MHC, LLC (Agent: Gay & Neel, Inc.)** to amend existing special use permit to eliminate condition number (s) 3, 5, 7, 8, and 10 approved on February 23, 2004 at Oak Forest Mobile Home Park located at 1156 Hightop Road in the Planned Mobile Home Residential Park (PMR) zoning district.
  - a. Staff Presentation (Steve Sandy)
  - b. Discussion/Action

**NEW BUSINESS:**

1. HS Tejas Preliminary Subdivision Approval (Steve Sandy)

**WORKSESSION:**

- Possible Zoning Ordinance Revisions (Kevin Byrd)
- Village Zoning (Kevin Byrd)

**LIAISON REPORTS:**

- Board of Supervisors- John Muffo
- Agriculture & Forestal District- Bob Miller
- Blacksburg Planning Commission – Walt Haynes
- Christiansburg Planning Commission – Bryan Rice
- Economic Development Committee- David Moore
- Public Service Authority – Malvin Wells
- Parks & Recreation- Steve Howard

- Radford Planning Commission- Steve Cochran
- School Board- Bill Seitz
- Transportation Safety Committee- Malvin Wells
- Planning Director's Report- Steve Sandy

**MEETING ADJOURNED:**

**UPCOMING MEETINGS:**

- |                   |   |
|-------------------|---|
| December 10, 2008 | Planning Commission Site Visit (To be determined)<br>Planning Commission Public Hearing 7:00 pm |
| December 17, 2008 | Planning Commission Regular Meeting ( <b>Tentative</b> )  |

**MONTGOMERY COUNTY PLANNING COMMISSION  
CONSENT AGENDA  
November 19, 2008**

**A. APPROVAL OF MINUTES**

- September 10, 2008
- October 8, 2008

**ISSUE/PURPOSE:**

The above listed minutes are before the Planning Commission for approval.

**B. SCHEDULE PUBLIC HEARINGS**

1. A request by **Roland S. Wright, Jr. & Mary H. Wright** for a Special Use Permit (SUP) on approximately 0.511 acres in a Residential (R-3) zoning district to allow a Manufactured Home, Class A (doublewide). The property is located at 3850 Poppy Lane, and is identified as Tax Parcel No(s). 127-8-7B (Acct No. 140688, in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the Comprehensive Plan.
2. A request by **Riverbend Water Company** for a Special Use Permit (SUP) on approximately 4.006 acres in an Agricultural (A-1) zoning district to allow a home business. The property is located at 895 Union Valley Road, and is identified as Tax Parcel No(s). 120-A-37H (Acct No. 080602), in the Riner Magisterial District (District D). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.
3. A request by **Riverbend Water Company** for a Special Use Permit (SUP) on approximately 4.006 acres in an Agricultural (A-1) zoning district to allow an accessory structure greater than 1,200 square feet in area and 18 feet in height. The property is located at 895 Union Valley Road, and is identified as Tax Parcel No(s). 120-A-37H (Acct No. 080602), in the Riner Magisterial District (District D). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON SEPTEMBER 10, 2008 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

**CALL TO ORDER:**

Mr. Seitz, Secretary called the meeting to order and established the presence of a quorum.

Present: William Seitz, Secretary  
Steve Cochran, Member  
Frank Lau, Member  
Steve Howard, Member  
David Moore, Member  
Bryan Rice, Member  
Malvin Wells, Member  
John Muffo, Board of Supervisors Liaison  
Steve Sandy, Planning Director  
Dari Jenkins, Planning & Zoning Administrator  
Brea Hopkins, Zoning Technician  
Bob Pearsall, GIS Manager

Absent: Robert Miller, Chair  
Walt Haynes, Vice Chair

**PUBLIC ADDRESS:**

None

**APPROVAL OF AGENDA:**

On a motion by Mr. Howard, seconded by Mr. Cochran and unanimously carried the agenda was approved as presented.

**APPROVAL OF CONSENT AGENDA:**

On a motion by Mr. Moore, seconded by Mr. Howard and unanimously carried the consent agenda was approved as presented.

**PUBLIC HEARING:**

A request by Thomas A. & Penny L. Taylor and Charles A. & Margaret Taylor to rezone approximately 2.3 acres from Agriculture (A-1) to Residential (R-3), with possible proffered conditions, to allow residential single family dwelling. The maximum allowed density in the proposed zoning district is nine (9) dwelling units per acre. The parcel(s) are located at 2971 Peppers Ferry Road, and are identified as Tax Parcel No(s). 064-A-141, 141E (Acct #'s 019068, 029370) in the Riner Magisterial District (District B). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre.

and

A request by Charles A. & Margaret Taylor, for a Special Use Permit (SUP) on approximately 1.479 acres in a Residential (R-3) zoning district to allow a Class A (doublewide) Manufactured Home. The property is located at 2971 Peppers Ferry Road, and is identified as Tax Parcel No(s). 064-A-141 (Acct

#'s 019068) in the Riner Magisterial District (District B). The property currently lies in an area designated as Rural in the Comprehensive Plan.

Mr. Sandy stated the applicants were requesting to rezone their property from Agriculture (A-1) to Residential (R3). An additional request for a special use permit has been submitted to allow a Class A (doublewide) manufactured home. There is an existing manufactured home on one of the parcels therefore it is necessary to have a special use permit for this use. The applicant had deeded a 0.5 acre parcel to a family member; however, that lot size is not allowed in an Agriculture (A1) district. The two applicants have filed a joint request to rezone meeting the minimum area required. It should be noted there is little potential for development beyond a family subdivision because of the absence of state road frontage. The request does comply with the Comprehensive Plan and lies within the Belview Village and is further designated as low density residential. The property is served by public water and sewer. VDOT has indicated the existing entrance had inadequate sight distance but will not require any changes since the drive serves only 2 dwellings at this time. Montgomery County Public Schools has indicated the Belview School is overcrowded; however, with the limited ability to develop the property, few if any children would be added to the system.

Mr. Seitz opened the public hearing.

Mr. Taylor stated the driveway is actually Old Mill Road which has been in existence prior to Route 114. The sewer line does not have the capacity to allow for further development. There are only two (2) additional dwellings that may be constructed by family members.

There being no further comments the public hearing was closed.

Mr. Wells stated the request was acceptable

On a motion by Mr. Moore, seconded by Mr. Howard, and carried by a 7-0 vote (Miller & Haynes absent) the planning commission recommended approval of the request by Thomas A. & Penny L. Taylor and Charles A. & Margaret Taylor to rezone approximately 2.3 acres from Agriculture (A-1) to Residential (R-3) to allow residential single family dwelling.

On a motion by Mr. Moore, seconded by Mr. Wells and carried by a 7-0 vote (Miller & Haynes absent) the planning commission recommended approval of the request by Charles A. & Margaret Taylor, for a Special Use Permit (SUP) on approximately 1.479 acres in a Residential (R-3) zoning district to allow a Class A (doublewide) Manufactured Home.

A request by Ellet Valley Development, (Agent: Gay & Neel) for a Special Use Permit (SUP) on approximately 11.62 acres in a Community Business (CB) zoning district to allow 14 single family dwelling units. The property is located on the East Side of Cascades Road 500 feet southwest of the Mid Pine Rd/Cascades Rd intersection, and is identified as Tax Parcel No(s). 55-A-B2, 55-12-531 (Acct No. 033633, 010645), in the Mount Tabor Magisterial District (District B). The property currently lies in an area designated as Residential Transition in the Comprehensive Plan.

Mr. Sandy stated the property is zoned Community Business (CB) which permits residential uses by special use permit. He handed out revised road plans and a letter regarding the wastewater treatment facility. This is a vacant piece of property that was set aside as a reserve area on the original plans. The request is to allow 14 single family dwellings. He reviewed maps and video of the property. The property lies within an area designated as Residential Transition in the Comprehensive Plan. The road

will be reconfigured to meet the VDOT requirements including the grade. If approved, the lots would follow building requirements for the Residential (R1) zoning district. The lots would be served by individual wells and the existing sewer system. Gay and Neel have been studying the sewer system and identifying issues such as infiltration, etc. The allowed capacity is 35,000 and the system is currently operating at 12-14,000. These lots would not put the development over capacity. The Montgomery County Public Schools have indicated there are not capacity issues; however, there needs to be adequate road grades for the buses to serve the subdivision safely. He discussed concerns regarding the following:

- Cascades Road not in state road system
- Address design principles outlined in the comprehensive plan
- Erosion and storm water concerns, removal of vegetation.
- Private water system and consent order status with DEQ because the facility exceeds capacity at times.

Mr. Cochran asked who maintains Cascades Road since it is not within the state system.

Mr. Sandy stated the developer is responsible for maintenance.

Mr. Lau stated he was concerned about school bus access and safety issues. A 16% grade is too steep for a bus to travel.

Mr. Sandy stated the grade is also a concern for fire and rescue.

Mr. Lau noted he would like that concern addressed.

Mr. Seitz opened the public hearing.

Mr. John Neel, Gay & Neel, Inc., asked for those in opposition to stand. Nine (9) people stood. He noted Gay & Neel was not involved in this request until 2005. Since that time, a lot of progress has been made to resolve some of the issues. This project would require a large expenditure therefore the developer needs some assurance that it can be developed prior to spending money for improvements. The school bus does not use Augusta National and it is probably due to the steep grade 16-20%. There is uncertainty whether the school bus would go down Cascades Road with the 16% grade. Certain areas of Cascades road were not built within the right of way. These types of issues will need to be corrected but will require cooperation with the current property owners within the subdivision. He noted the developer would like to work with the property owners to correct the road issues. By doing such, it may be possible that the property owners would receive additional land. In regards to the sewer issues a document has been distributed. Studies have been done to determine the cause of the issues. One major problem was the infiltration of storm water into the system. Manholes have been installed, raised, etc. to help mitigate this problem. There is additional work that needs to be done and progress is still being made. Storm water and E&S are normally handled at the subdivision phase. There is a grading permit for the property currently. It is an eyesore to the neighbors. There are not any community businesses that would be appropriate for the property, so residential use seems more appropriate. He noted the developer was willing to work toward addressing some of the concerns expressed by staff and the residents.

Ms. Joan Moore, Plank Drive, stated she was in opposition to the proposal because the property was rezoned for use by Blacksburg Country Club only for recreational purposes. If you allow the residential use by special use permit all proffers are waived. She noted she had no objections to a few homes but the property should be rezoned to Residential (R1). The sewer system should be transferred to the

county prior to allowing additional homes. No development on the hill should be allowed until issues are addressed.

Mr. Kerry Mason, 1955 Cascades Road, stated she opposed the application because the area was designated as reserved space and used by Country Club property. Traffic issues, sewer issues, stewardship issues, numerous broken commitments, potholes, etc are all reasons to deny the request. The sewer smells in subdivision and the person at the plant does not know how to respond to the alarms. The developer has not been a good neighbor in the past so there is not a reason to believe he will work with the residents to resolve the issues.

Mr. Todd Forth, 1860 Augusta National, stated his children on Augusta National have to walk to the school bus stop. The developer has broken laws by driving through stop signs and has even driven over many of the signs within the subdivision. He has not shown he will make any necessary improvements.

Mr. Bill Foster, 1865 Mountainside, treasurer of the Home Owners Association, stated the extension of sewer network is a major concern. The sewer company is owned by Ellet Valley. There is a bad relationship between homeowners and the developer/owner of the sewer company. Currently, the subdivision has the highest sewer rates in the country. Additional homes would cause the rates to increase. B&J has made improvements; however, no information has been given to the homeowners.

Mr. Phil Bowden, 2076 Cascades Road, stated it was necessary to see what has been done to the hill. Fill dirt is moved off the hill with dump trucks from 7am to 5pm. These dump trucks speed throughout the subdivision. The road has never been brought up to VDOT standards after many promises. Why should resident believe the developers now? There are storm water ponds within five (5) feet of the road and no guardrails.

Ms. Peggy Bowden, 2079 Cascades, handed out pictures showing current conditions regarding runoff, Cascades Road mudslides, and the results of blasting from mining operations from 7 am – 5pm. These types of activities are not expected in this type of subdivision.

Mr. Joey Poff, 2080 Cascades, noted his concerns of ongoing blasting, excavation, and traffic. The open grade permit should be rescinded. For years the neighborhood has been disrupted by the developer's actions.

Mr. Ronnie Bland, 1851 Augusta National, stated he was assured that the property was for country club use and would never be built upon. This was the reason he purchased his property. If the developer is allowed to be build the traffic is going to increase and be much worse. During the blasting, the rocks that fall off of that hill are large and is going to cause someone to get hurt or worse.

Mr. Herb Alcorn, 2060 Cascades, stated the other steep grades in the subdivision are short. The proposed grade will be a much longer road. This is dangerous for school buses and other vehicles to travel.

Mr. Ben Faulkner, 2070 Cascades, stated there are too many unanswered questions. If any consideration is given, a definite timeline needs to be applied and enforced. The hill is a tremendous eyesore.

Mr. Terry Strock, past president of Homeowners Association, distributed pictures showing hill before and after the clearing. No permission was obtained prior to beginning the clearing. The county engineer recommended that remedial action be taken in 1998. To this date this has not been done. If this special use permit is not granted the homeowners request that Ellet Valley Development company re-plant trees and grass on the area they have disturbed.

Mr. Pat Devons, President Homeowner's association stated that the same people own Ellet Valley Development and B&J Enterprises. The erosion issues, upgrades to Cascades Road, and other problems have all been promised to be done "later" by the developer; however, it never happens. It is not acceptable to compound the problem because it was done in the past. There are already problems with school buses, fire, rescue, slopes, etc. If approved the covenants should comply with the rest of subdivision. It is necessary to have the developer meet past requirements prior to proceeding.

There being no further comments the public hearing was closed.

Mr. Howard stated that if approved there should be one set of covenants and one homeowners association not a separate community.

Mr. Moore stated he had the opinion that with creativity the problem is actually part of solution. But the proposal is not there yet and it will take more than one month to fix the plan. The developer needs the lots to pay for improvements to the subdivision; however, at this point trust is an issue.

Mr. Lau stated that the area should be used as a community area but there are many concerns.

Mr. Wells stated more homes are not going to resolve the ongoing problems that have occurred for many years.

Mr. Cochran stated it is unfortunate the property looks like it does. Some development may improve that but existing problems need to be resolved.

On a motion by Mr. Moore, seconded by Mr. Cochran, and carried by a 7-0 vote (Miller & Haynes absent) the Planning Commission recommended denial of the request by Ellet Valley Development, (Agent: Gay & Neel) for a Special Use Permit (SUP) on approximately 11.62 acres in a Community Business (CB) zoning district to allow 14 single family dwelling units.

Mr. Sandy stated that the applicant could withdraw the request prior to the board meeting.

A request by Charles Lewis Wheeling, (Agent: Ntelos) for a Special Use Permit (SUP) on approximately 24.19 acres in an Agriculture (A-1) zoning district to allow a 130' telecommunication tower. The property is located at 174 Friendship Road, and is identified as Tax Parcel No(s). 82-A-158 (Acct No. 028687), in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

Ms. Jenkins stated the request was to allow a telecommunications tower on Friendship Road. The tower will be used by Ntelos and possibly two (2) collocators with an additional space for fire & rescue. She presented maps and pictures of the property. The property is wooded and lies within an area designated as resource stewardship. There are no critical features on this property. There are limited impacts. Traffic would average one trip per month once construction is complete. There will be no lighting on the tower. Site Safe conducted an aeronautical study and found no safety issues for aircraft. The tower is proposed to be a flush mount antenna on a monopole.

Mr. Bob Pearsall, presented the view shed analysis using the LiDar software. The visibility is the same with a 100 ft. tower as it is with a 130 ft. tower.

Ms. Jenkins reviewed the plans and photo simulations submitted. A letter has been submitted by an adjoining property owner.

Mr. Wells stated he had received a call from a resident regarding the entrance. Is there an estimated location for the access?

Ms. Jenkins stated VDOT has indicated there is not an issue with the site because of the limited use.

Mr. Seitz stated it does not appear much area is being covered.

Ms. Jenkins stated the analysis by GIS staff is for view shed only but could indicate it is not a lot of coverage area. Part of the goal of this tower is to fill in gaps of coverage along 460.

Mr. Seitz opened the public hearing.

Mr. Mike Pace, Attorney for NTELOS, stated that Ntelos strives to collocate. There are no new ground builds in this area. It should be noted that Ntelos will also collocate on the tower approved by the Board of Supervisors on Monday. This proposed site has limited coverage area but is important to service customers and provide coverage along a three (3) mile area on Route 460. Propagation maps have been submitted with the application. He reviewed other sites studied. This site was the most reasonable. At 130 ft. there is the ability to have three (3) collocations. NTELOS has helped build an inventory of sites. He noted Ntelos was aware of Ms. Bailey's letter regarding access concerns. The road will not require constant travel. A technician will visit the site once per month. VDOT has studied the entrance and stated they have no concerns. Conditions recommended in the staff report are acceptable. Most have been complied with already. The property is within a resource stewardship area and this application has minimized the impacts. Some of the mitigating factors include: wooded land limiting the visibility of the tower, no noise, no lighting, no traffic, no drain on public utilities, collocation opportunities, public safety benefit, it will connect an existing system of towers already approved, and all wires will be underground.

Mr. Fred Bailey, Friendship Road, stated the road stays frozen in the wintertime and additional drainage from the access would make this problem worse.

Ms. Linda Bailey, Friendship Road, stated that this site is not the only site available. She noted she was contacted about placing a tower on her property; however, a monetary agreement could not be made. The proposed site is dangerous because of the access location. It only takes one trip to hurt someone. The drainage is horrendous and there are children that get on the bus in this area.

Mr. Pace stated that an erosion and sediment control permit would be obtained and all state regulations would be complied with. The access will not increase the danger of the road.

Ms. Bailey stated that it should also be noted the proposed site is above a Norfolk Southern cut. The land has to be studied to prevent it from caving in.

There being no further comments the public hearing was closed.

Mr. Wells stated the site was appropriate for a tower. He noted he understood concerns regarding the road conditions; however, if VDOT approved entrance the planning commission cannot go against their approval.

Mr. Rice stated the proposed access curves before meeting up with road so the impact is minimized. The site is an appropriate location for the tower. There will be minimal impacts once site is completed. He asked if signage would be placed during construction of the access.

Mr. Pace stated signs and a flagman would be used during construction.

On motion by Mr. Howard, seconded by Mr. Rice and carried by 7-0 vote (Miller & Haynes absent) the planning commission recommended approval of the request by Charles Lewis Wheeling, (Agent: Ntelos) for a Special Use Permit (SUP) on approximately 24.19 acres in an Agriculture (A-1) zoning district to allow a 130' telecommunication tower with the following conditions:

1. Tower shall not exceed a total overall height of 135 feet inclusive of the proposed lightning rod with a ground elevation of 1,783 ft. Tower shall not have lighting unless required by the FAA. Tower shall have a base diameter not to exceed 30 inches and a top diameter of 22 inches.
2. Site development shall be in substantial conformance with the plans entitled, "NTelos Proposed 130' Monopole Tower, RN819 – Georges Run, Friendship Road, Shawsville, VA 24162", prepared by Terradon, dated July 16, 2008 and received by Montgomery County on August 1, 2008.
3. Tower shall be of a "monopole stealth design" and all antennae shall be flush mounted (distance between face of pole and outer face of antennas not to exceed 12 inches) on the structure. Tower shall be painted brown (Wooden Cabin or similar). All wiring and cables shall be located inside the pole structure.
4. Engineering plans signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to issuance of a building permit.
5. No platforms or dishes shall be permitted on the structure above the tree line.
6. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.
7. Backup generator, if applicable, shall not be fueled by any liquid fuel source.
8. Owner/agent shall provide police, fire and rescue services antennae space on the proposed tower for the agreed upon rental rate of \$1 per year subject to the structural capacity of the tower and provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower.
  - Emergency service providers shall provide equipment.
  - Tower owner/agent shall install the antennae at market rate.
  - The second highest space on the pole shall be made available to the County. In the event that Montgomery County has not used this space and another cellular carrier wishes to co-locate on the same tower, the tower owner shall give the Montgomery County Administrator fourteen (14) days notice by Certified Mail of their intent to occupy this location. If the County declines the offered location, the tower owner will provide the County with the next highest location on the tower. In no case shall the County be offered a height of less than one-hundred feet (100 feet) on the tower.

Mr. Seitz called for a five (5) minute recess.

Mr. Seitz called the meeting to order.

A request by Sarah M. Wall, Life Estate, (Agent: Ntelos) for a Special Use Permit (SUP) on approximately 64 acres in an Agriculture (A-1) zoning district to allow a 130' telecommunication tower. The property is located at 1483 Matamoros Lane, and is identified as Tax Parcel No(s). 52-A-100 (Acct No. 020270), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

Ms. Jenkins stated the request was to allow a 130' telecommunications tower. She reviewed the maps and plans for the property. The property is zoned Agriculture (A1) and lies within an AFD district. The Board of Supervisors has authority to decide if the tower is compatible with AFD district. The property is in an area designated as resource stewardship in the comprehensive plan. The tower will be a flush mount antenna with collocation opportunities. Michael St. Jean, VT Airport, has indicated there are no issues with the location of the tower and interference with flights. EMS has requested space on this tower if needed.

Mr. Pearsall presented the view shed analysis for a 100 ft. tower and a 130 ft. tower. It appears that the tower (using the coordinates given) may not be accomplishing the goals stated.

Ms. Jenkins stated the Town of Blacksburg has submitted their comments stating that the site was in compliance with their comp plan but the planning commission recommended denial in their letter dated September 2, 2008. The proposed conditions should address their concerns. One letter of opposition has been submitted.

Mr. Seitz opened the public hearing.

Mr. Pace, attorney for Ntelos, stated the coordinates on the plan were wrong; however, the site plan is correct. He stated there are nine (9) sites held by NTELOS in this area and all are collocations. The goal is to cover Prices Park, Merrimac and specifically the Hethwood community. The closest collocation opportunities were Crown Castle and SBA but these sites were too tall and they overshoot the existing towers in Blacksburg which would cause interference. Nine (9) sites were studied; however, for different reasons those sites would not work mostly due to lack of owner interest. Three (3) of those sites were on the Wall property. He presented the propagation maps and the existing network of towers. Ms. Roston's letter recommends a shorter tower with low profile which has been done with 130 ft. and flush mount. The concerns of the Blacksburg Planning Commission have been addressed. The application is in compliance with the comprehensive plan. Mitigating factors include; mature tree cover, three (3) additional location opportunities, no noise, no traffic, no lighting, flush mount, public safety benefit, and no strain on utilities.

Mr. Sandy asked for clarification regarding the two (2) existing sites and why they are not acceptable.

Mr. Joel Keister, technology engineer for NTELOS, discussed how lowering the height allowed more down tilt and eliminated interference. He noted that new services are also more sensitive to coverage and overlapping signals.

Mr. Randi Lemmon, 4572 Pearman Road, representing Ann Yates, stated his client owns property within the view shed. They were initially concerned with the request but with the flush mount monopole, no lighting, brown paint conditions they are satisfied. They were also interested in the additional service and like that it would enhance the emergency service.

There being no further comments the public hearing was closed.

Mr. Cochran stated he was concerned that he Town of Blacksburg and their Planning Commission had submitted inconsistent responses. He noted he was also concerned that the true view shed could not be seen since the coordinates were not correct.

Mr. Moore stated it is always nice to have the visualization; however, it is not necessary since the photo simulations were submitted.

Mr. Howard stated the comments from Blacksburg could be disregarded since their concerns had been addressed.

On a motion by Mr. Moore, seconded by Mr. Howard and carried by a 6-1 vote ((Miller and Haynes absent; Cochran opposed), the Planning Commission recommended approval of the request by Sarah M. Wall, Life Estate, (Agent: Ntelos) for a Special Use Permit (SUP) on approximately 64 acres in an Agriculture (A-1) zoning district to allow a 130' telecommunication tower with the following conditions:

1. Tower shall not exceed a total overall height of 135 feet inclusive of the proposed lightning rod with a ground elevation of 2,051 ft. Tower shall not have lighting unless required by the FAA. Tower shall have a base diameter not to exceed 30 inches and a top diameter of 22 inches.
2. Site development shall be in substantial conformance with the plans entitled, "NTelos Proposed 130' Monopole Tower, RN-516 – Matamoros Lane, Blacksburg, VA 24062", prepared by Terradon, dated July 21, 2008 and received by Montgomery County on August 1, 2008.
3. Tower shall be of a "monopole stealth design" and all antennae shall be flush mounted (distance between face of pole and outer face of antennas not to exceed 12 inches) on the structure. Tower shall be painted brown (Wooden Cabin or similar). All wiring and cables shall be located inside the pole structure.
4. Engineering plans signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to issuance of a building permit.
5. No platforms or dishes shall be permitted on the structure above the tree line.
6. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.
7. Backup generator, if applicable, shall not be fueled by any liquid fuel source.
8. Owner/agent shall provide police, fire and rescue services antennae space on the proposed tower for the agreed upon rental rate of \$1 per year subject to the structural capacity of the tower and provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower.
  - Emergency service providers shall provide equipment.
  - Tower owner/agent shall install the antennae at market rate.
  - The second highest space on the pole shall be made available to the County. In the event that Montgomery County has not used this space and another cellular carrier wishes to co-locate on the same tower, the tower owner shall give the Montgomery County Administrator fourteen (14) days notice by Certified Mail of their intent to occupy this location. If the County declines the offered location, the tower owner will provide the County with the next highest location on the tower. In no case shall the County be offered a height of less than one-hundred feet (100 feet) on the tower

On a motion by Mr. Cochran, seconded by Mr. Howard and unanimously carried, the planning commission extended its' meeting to 10:15pm.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

None

**LIAISON REPORTS:**

Board of Supervisors- John Muffo

No report.

Agriculture & Forestal District- Bob Miller

No report.

Blacksburg Planning Commission – Walt Haynes

No report.

Christiansburg Planning Commission – Bryan Rice

Mr. Rice stated the Christiansburg Planning Commission met Monday to discuss two (2) conditional use permits not relating to the county. They also discussed amending the town code regarding signs and the historical overlay district.

Economic Development Committee- David Moore

No report.

Public Service Authority – Malvin Wells

Mr. Wells reported that the PSA had a meeting; however, there was not any business relating to the planning commission.

Parks & Recreation- Steve Howard

Mr. Howard stated there was a good turnout for the dedication of the motor mile complex. The Frog pond closed with the annual dog swim.

Radford Planning Commission- Steve Cochran

No report.

School Board- Bill Seitz

No report.

Transportation Safety Committee- Malvin Wells

No report.

Planning Director's Report- Steve Sandy

Mr. Sandy stated there will be a CPEAV event Oct. 12-14. If anyone is interested in attending they will need to let Brea know. The meeting and site visit on September 17<sup>th</sup> will be cancelled. The Jordan cell tower request was approved with condition that permanent fencing be placed around the slave cemetery. The Johnson addition to the AFD district was also approved. HS Tejas has requested that the condition relating to helipad be revised to allow it to be located in Roanoke County.

There being no further business, the meeting was adjourned.

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON OCTOBER 8, 2008 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

**CALL TO ORDER:**

Mr. Miller, Chair called the meeting to order and Mr. Seitz, Secretary, established the presence of a quorum.

Present:            Robert Miller, Chair  
                       Walt Haynes, Vice Chair  
                       William Seitz, Secretary  
                       Frank Lau, Member  
                       Steve Howard, Member  
                       David Moore, Member  
                       Malvin Wells, Member  
                       John Muffo, Board of Supervisors Liaison  
                       Steve Sandy, Planning Director  
                       Dari Jenkins, Planning & Zoning Administrator  
                       Brea Hopkins, Zoning Technician  
                       Jamie MacLean, Development Planner

Absent:            Bryan Rice, Member  
                       Steve Cochran, Member

**PUBLIC ADDRESS:**

None

**APPROVAL OF AGENDA:**

On a motion by Mr. Haynes, seconded by Mr. Howard and unanimously carried the agenda was approved as presented.

**APPROVAL OF CONSENT AGENDA:**

On a motion by Mr. Haynes, seconded by Mr. Howard and unanimously carried the consent agenda was approved as presented.

**PUBLIC HEARING:**

SU-2008-06129 - A request by Oak Forest MHC, LLC (Agent: Gay & Neel, Inc.) for an amendment of a Special Use Permit (SUP) to eliminate condition number(s) 3, 5, 7, 8, and 10 approved on February 23, 2004 by the Board of Supervisors. The property is the current Oak Forest Mobile Home Park located at 1156 Hightop Road, and is identified as Tax Parcel No(s). 66-A-98 (Acct No. 016259), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

Mr. Miller introduced the request.

Mr. Sandy stated a special use permit was granted February 2004 for the expansion of the existing mobile home park known as Oak Forest Mobile Home Park. Conditions were placed on the special use

permit and the applicant has requested a change to those conditions. He reviewed the location of the property, maps, and photos of the site. Mr. Sandy reviewed the proposed changes to conditions 3, 5, 7, 8, and 10. Condition #3 requires the road to connect to Merrimac and be taken into the state system. VDOT has stated since the road only serves one property they will not take it over. The applicant has further stated it is fiscally and physically impossible to construct the road to state standards. Condition #5 relates to the installation and testing of fire hydrants. The applicant has installed the fire hydrants and new lines and is requesting the condition to be eliminated. Eliminating this condition would remove the testing requirement and allow the hydrants to be removed. The condition could be revised to match PSA regulations. Condition #7 required streets to be built to requirements of zoning ordinance. The applicant has revised the plan for the park and will utilize existing streets therefore the elimination of this condition should not impact the development. Condition #8 states the SUP will expire is substantial construction has not taken place within two (2) years. The applicant has stated that this condition would no longer be applicable since construction has begun. The storm water facility is regulated by condition #10. The applicant indicates all items relating to this condition have been met and is requesting the elimination of the condition. The condition could be amended to reiterate the importance of storm water management and maintenance. The plan shows the placement of the additional units which would create a total of 214 units.

Mr. Haynes inquired as to the amount of recreation area provided and the type that would be installed.

Mr. Sandy stated the area would be open space.

Mr. Miller opened the public hearing.

Mr. Kevin Conner, Gay & Neel, stated the owner agrees with recommendations regarding conditions 5, 7, 8. The applicant would like to keep the 219 home units as stated in the conditions. The loop road is physically and economically impossible due to steepness of grade.

Mr. John Neel, Gay & Neel, stated that the issue with the loop road is the VDOT requirements. The state requires a 2% grade for 50 ft. and maximum of 16% grade overall. As the grade transitions it is physically impossible to get the road in place without eliminating existing and proposed units as well as the existing office. It also may not be possible to obtain site distance due to the amount of grading required. He noted that Mr. Radford would be willing to accept a condition to install recreation equipment within the indicated recreation area. The adjacent church has had some flooding issues over the years. Gay & Neel has been working with the church to mitigate those issues and a plan has been established. The number of units requested is the 219. Affordable housing is needed in the county. This is a well kept park and would benefit those citizens needing the housing.

Mr. Seitz asked was the applicant aware of the possible road issue prior to the SUP being granted.

Mr. Neel stated that the applicant was not aware of the potential issues and that some of the problems could be that the VDOT standards were different at the time of the SUP approval. In order to meet current standards the existing entrance would also have to be re-graded.

Mr. Wells noted that the owner may want to ensure all mobile homes had the numbers displayed for fire and/or emergency services purposes.

There being no further comments the public hearing was closed.

Mr. Haynes stated the only apparent issue was the lack of recreation options.

Mr. Seitz noted his concerns that the request was to change the conditions of a special use permit that had been approved. He noted he would support keeping as many conditions as possible.

Mr. Wells stated the loop road appears to be extraordinary and may not be necessary if future expansions are not planned.

Mr. Conner stated the remaining area is dedicated open space; therefore, no additional mobile homes can be placed on the property.

Mr. Sandy asked if any type of road could be constructed.

Mr. Neel stated the entrance standards could not be met and it would not be possible to establish a road safe enough for anyone to travel. Any type of road would still cause the loss of approximately 25% of existing homes. It would be possible to revise the existing entrance to correct some of the drainage issues.

Mr. Sandy noted that the existing entrance needs to be upgraded, especially if a new entrance cannot be constructed.

Mr. McMahon stated it was necessary to see what impact was being mitigated by the road. If the condition was in place because of the increase in the number of units made the road necessary then maybe the condition is necessary.

Mr. Moore noted one road serves Walnut Creek, which has more units than proposed in Oak Forest.

Mr. Haynes stated another major issue is the steepness of the existing entrance.

Mr. Moore stated the applicant could look at improving the existing entrance to mitigate the issue.

On a motion by Mr. Seitz seconded by Mr. Haynes and carried by a 7-0 vote (Rice & Cochran absent) the Planning Commission tabled the request by Oak Forest MHC, LLC (Agent: Gay & Neel, Inc.) to amend existing the special use permit to eliminate condition number (s) 3, 5, 7, 8, and 10 until November.

SU-2008-05692- A request by Lawrence S. Estes, (Agent: Verizon Wireless) for a Special Use Permit (SUP) on approximately 44.923 acres in an Agriculture (A1) zoning district to allow a 125' telecommunication tower. The property is located at 906 Den Hill Road, and is identified as Tax Parcel No(s). 68-A-145 (Acct No. 006179), in the Mount Tabor Magisterial District (District B1). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

Mr. Miller introduced the request.

Ms. Jenkins stated two tower applications were received for this property on the same day. Verizon and AT&T have been working together to create one new tower site to serve both companies. The application being considered is the AT&T application. She reviewed the maps and photos of the property. There is an existing tower owned by US Cellular on the property. Both companies have submitted justification for not being able to locate on that tower. AT&T had proposed flush mount antennae; however, Verizon has a different technology and are requesting a close mount antennae.

Mr. Miller stated he was impressed that the two carriers worked together and would like to encourage that among other carriers.

Mr. Miller opened the public hearing.

Mr. Mike Pace, Attorney AT&T, stated the two companies had collaborated to provide an ideal plan. The existing tower is not tall enough to serve either AT&T or Verizon. It was not known that applications would be filed the same day. US Cellular has a policy that if a carrier needs to increase the height of an existing tower they own the carrier pays for the replacement tower and turns it over to US Cellular and they collect the rent. Coverage in this area is bad. Collocation is always preferred. He discussed other opportunities researched for collocation in the area. There is a tower on this property therefore; it is not a new tower site. The site provides a significant community benefit. Another co-locator has already expressed interest and space for emergency services would be allowed. If denied each carrier will have to find another location and could potentially lead to three (3) new towers being erected.

Mr. Jim Cowan, Verizon, reviewed the process Verizon used to determine the location of the tower. He discussed the issue with the technology and the need for the close mount antennae. If flush mount is required Verizon will utilize any additional space on the tower and space will not be available for an additional co-locator.

Mr. Pace noted the reduction in the diameter to mitigate the need for the close-mount antennae.

Mr. Robert Woolwine, 1061 Lusters Gate Road, stated he had contacted the VA Dept. of Historic registry because there are three (3) historical properties in the area. When US Cellular constructed their tower there were conditions that the County could locate on the tower. A balloon test was conducted to determine the visibility of the tower from the Country Club. This tower will be visible from the Country Club, people in Ellet, and residents in New Ellet. There are old railroad towers that could provide opportunities of collocations. Those towers should be utilized before constructing another tower. Consideration to people in the area needs to be given.

Mr. Wendell Hensley, 707 Gross Drive, stated he opposes this tower location. The search ring included Blacksburg Country Club but they do not want the tower. It should be built where the people will use it. Who will come in next to construct a tower? How many will be constructed?

Mr. Raymond Smoot, 1447 Lusters Gate Road, stated cell phone service is essential and decent reception is necessary. Both exist in this area. When the last tower was constructed considerable attention was given to minimize the impacts on the view shed. This application has not been given the same consideration. It is commendable that the companies worked together; however, neighbors will have to look at this daily. It is necessary to adequately notify residents in Ellett Valley.

Mr. Phil Amodeo, adjoining property owner, addressed the precise location of the tower. The lease area of the proposed tower is twice the amount of the US Cellular lease area. The distance between the two towers seems too great. Since they are at different heights they should be able to locate closer together.

Mr. Pace stated the lease area is a typically 100 ft. x 100 ft. A setback issue reduced the previous lease area. The lease area is not visible because it is on ground. It is necessary to mitigate the impact. A reasonable approach has been taken and the issue of coverage in this area is not going away.

There being no further comments the public hearing was closed.

Mr. Seitz stated there is a site approved on the property already. US Cellular is willing to give up their site. There is no reason that it is not feasible other than economic issues.

Mr. Pace stated if it could be done, AT&T would be replacing the smaller tower with a much larger tower. US Cellular does not like co-locators and would make it not feasible. US Cellular is not willing to go off line to create new tower.

Mr. Wells stated the old VA Railway towers were adequately surveyed previously but they could not be utilized.

Ms. Jenkins stated it is also important to know that with the US Cellular site a 20' separation between carriers is required; therefore, the tower would be much higher than the proposed tower.

Mr. Moore stated that this is a consequent of negotiating a smaller tower.

Mr. Sandy reviewed the notification procedures for requests.

Mr. Muffo stated that previously smaller towers were encouraged but now it is encouraged to build taller towers with collocation opportunities.

On a motion by Mr. Howard, seconded by Mr. Lau and carried by a 6-1 vote (Seitz opposed, Rice & Cochran absent) the planning commission recommended approval of the request by Lawrence S. Estes, (Agent: Verizon Wireless) for a Special Use Permit (SUP) on approximately 44.923 acres in an Agriculture (A1) zoning district to allow a 125' telecommunication tower with the following conditions:

1. Tower shall not exceed a total overall height of 120 feet inclusive of the proposed lightening rod with a ground elevation of 1,786 feet. Tower shall not have lighting. Tower shall have a base diameter not to exceed 48 inches and a top diameter of 22 inches.
2. Site development shall be in substantial conformance with the plans entitled, "AT&T Saint Andrews, Site No. R0339G", prepared by BC Architects Engineers, dated July 30, 2008 and received by Montgomery County on August 1, 2008. Revised Sheet No. VA-R0339G-A-1 shall be received and approved by the Zoning Administrator to indicate revised antenna conditions for Verizon equipment to be located in the second position on the tower.
3. Tower shall be of a "monopole stealth design" where all antennae shall be flush mounted (distance between face of pole and outer face of antennas not to exceed 12 inches in the top position; 24 inches may be necessary for modified flush mount antennas in the second position from the top of the structure). Tower shall be painted brown (Wooden Cabin or similar color brown). All wiring and cables shall be located inside the pole structure.
4. Engineering plans, including the antennae and equipment for Verizon's collocation in the second position on the tower, signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to issuance of a building permit.
5. No platforms or dishes shall be permitted on the structure above the tree line.
6. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.
7. Backup generator, if applicable, shall be fueled only by propane.
8. Owner/agent shall provide emergency services antennae space on the proposed tower for the agreed upon rental rate of \$1 per year subject to the structural capacity of the tower and provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower.
  - Emergency service providers shall provide equipment.
  - Tower owner/agent shall install the antennae at market rate.
  - If the County declines the offered location, the tower owner will provide the County with the next highest location on the tower. In no case shall the County be offered a height of less than eighty-six feet (86 feet) on the tower.

## **OLD BUSINESS:**

SU-2007-04757- Request by Seth Ryan McGhee for a Special Use Permit (SUP) on approximately 1.405 acres to allow a contractor's storage yard.

Mr. Miller introduced the request.

Mr. Steve Howard removed himself from discussion due to conflict of interest.

Ms. Jenkins reviewed the timeline and actions regarding the request. Previously the Planning Commission recommended denial; however, the Board of Supervisors referred the request back to the Planning Commission to look at the request again after indications by the applicant that revisions could be made. The applicant has not submitted any additional information. A public hearing is not required; however, a recommendation is needed.

On a motion by Mr. Haynes, seconded by Mr. Lau and carried by a 6-0-1 (Howard abstained, Rice & Cochran absent) recommended denial of the Seth McGhee special use permit request since no further information was submitted.

## **NEW BUSINESS:**

The Preserve at Walnut Creek (Phase III) - Preliminary and Final Plat Approval

Mr. Sandy stated the request is for preliminary approval of 48 lots for the Preserve at Walnut Creek and for final plat approval for 20 lots. The subdivision is served by Town of Christiansburg water and PSA sewer. Currently 28 Certificates of Occupancy have been issued within the subdivision. The phases are building up. The original preliminary plat approval was subject to several conditions. The final plat is complete with the two exceptions. The Public Service Authority has a requirement that the availability fee be paid for each lot at the time the plat is recorded; the developer has discussed a modification to that requirement and is awaiting a decision from the PSA Board. VDOT has requested a clarification of the proposed drainage easements. The planning commission could approve the final plat subject to those conditions. The plat would not be signed and/or recorded until those conditions are met.

Mr. Kevin Conner, Gay & Neel, stated language could be added to clarify the maintenance of drainage easements and address VDOT concerns. If necessary we will pay availability fees for the lots and then abide by the policy adopted by the PSA Board.

On a motion by Mr. Wells, second by Mr. Howard and carried by a 7-0 vote (Rice & Cochran absent) the Planning Commission approved the preliminary plat for the Preserve at Walnut Creek (Phase III) with the following conditions:

1. The Virginia Department of Transportation (VDOT) shall review and approve the road construction and drainage plans for the roads within Phase 3.
2. The Montgomery County Public Service Authority (PSA) shall review and approve all public sewer construction plans. The Town of Christiansburg shall review and approve all public water construction plans including the provisions for fire protection described in Montgomery County Subdivision Ordinance.
3. The County Engineer shall review and approve the erosion & sediment control plans including additional provisions proffered as part of rezoning approval.
4. The County Attorney shall review and approve the private covenants and storm water maintenance agreement.

5. The County GIS Analyst shall approve new street name(s) and addresses.
6. All remaining items on the attached Subdivision Application Report dated, 2008 shall be addressed.

On a motion by Mr. Seitz, seconded by Mr. Haynes and carried by a 7-0 vote (Rice & Cochran absent) the Planning Commission recommended approval of the final plat for 20 lots in The Preserve at Walnut Creek (Phase III) with the following conditions:

1. Approval by the PSA regarding payment of availability fees.
2. Note added to covenants in the plat that the drainage easements will be private and maintained by the Homeowner's Association.

#### Kensington Phase I- Preliminary Plat Approval

Mr. Sandy reported that Phase II of the Kensington subdivision had already been approved. Phase I is mostly in town; however, it still requires county approval.

On a motion by Mr. Howard, seconded by Mr. Wells and carried by a 7-0 vote (Rice & Cochran absent) the Planning Commission recommended approved the Kensington Phase I preliminary plat the following conditions:

1. The Virginia Department of Transportation (VDOT) shall review and approve the entrance(s) onto Harkrader Street and any associated drainage plans.
2. The Town of Christiansburg shall review and approve all public water and sewer construction plans.
3. The Emergency Services Coordinator and Blacksburg Fire Chief shall review and provide comment on proposed alley to address any public safety needs or concerns.
4. The County Engineer shall review and approve the erosion & sediment control plans.
5. The County GIS Analyst shall approve new street name(s) and addresses.
6. All remaining items on the attached Subdivision Application Report dated September 29, 2008 shall be addressed.

#### **LIAISON REPORTS:**

##### Board of Supervisors- John Muffo

Mr. Muffo stated the banks are not paying things that are not infrastructure; therefore; developers are not able to pay the availability fees upfront. PSA is taking this under consideration.

##### Agriculture & Forestal District- Bob Miller

None

##### Blacksburg Planning Commission – Walt Haynes

None

##### Christiansburg Planning Commission – Bryan Rice

None

Economic Development Committee- David Moore

None

Public Service Authority – Malvin Wells

Mr. Wells stated he did not attend. There was a follow up on Lancer truck stop. Mr. Brabham will connect to the 12” line at VDOT headquarters and will use a bridge instead of boring. He is asking PSA for a refund of labor fees.

Parks & Recreation- Steve Howard

Mr. Howard stated there was a public meeting to request comments from citizens in East County regarding a public park.

Radford Planning Commission- Steve Cochran

None

School Board- Bill Seitz

Mr. Seitz stated he had attended the meeting; however, there was no business relating to the planning commission.

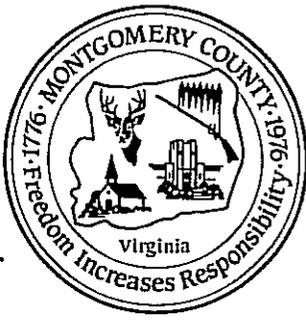
Transportation Safety Committee- Malvin Wells

Mr. Wells stated the committee will meet on Tuesday October 14th.

Planning Director’s Report- Steve Sandy

Mr. Sandy stated the November 12th meeting will be cancelled since there have not been any new applications received. He introduced Jamie MacLean, Development Planner. Kevin Byrd has been hired as the comprehensive planner.

There being no further business, the meeting was adjourned.



MONTGOMERY COUNTY DEPARTMENT OF  
PLANNING COMMISSION

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

**MEMORANDUM**

November 13, 2008

TO: Planning Commission  
From: Planning Staff *SMS/JRM*  
Subject: Oak Forest MHP

Attached please find drawings dated October 28, 2008, last revised November 7, 2008 for Oak Forest Mobile Home Park prepared by Gay and Neel, Inc. In addition, Mr. John Neel, PE has provided a letter dated November 12, 2008 in which he explains why a road in accordance with VDOT standards cannot be built.

Based on this information it does not appear that the requirements for expanding a Planned Mobile Home Residential Park (PMR) found in section 10-36 of the zoning ordinance can be achieved. Staff believes that this expansion cannot be permitted without a direct connection to a VDOT road via a VDOT standard road or a private road meeting VDOT standards. If the applicant believes a hardship exists, they may make an application to the Board of Zoning Appeals for a variance to the Zoning Ordinance requirements.

SMS/JRM

Attachments: November 12, 2008 letter from John Neel  
Plans dated 11/17/08



# GAY AND NEEL, INC.

1 2 6 0 R A D F O R D S T R E E T  C H R I S T I A N S B U R G , V A 2 4 0 7 3

November 12, 2008

Mr. Steven M. Sandy  
Montgomery County  
Department of Planning & GIS Services  
755 Roanoke Street, Suite 2A  
Christiansburg, VA 24073-3177

RE: Oak Forest MHP Expansion Site Plan  
Job No. 459.1

Dear Mr. Sandy:

Please consider this letter in reviewing the submitted drawings dated September 2, 2008 for the proposed modification to the Oak Forest MHP SUP. I appreciate your time in meeting with me and I hope the drawings we have provided along with this letter will allow the staff to support the SUP modification request without the addition of a second road.

We have provided several design sketches to illustrate the physical limitations to putting a VDOT standard subdivision street through the park connecting both Hightop Road and Merrimac Road. The minimum horizontal radius for a VDOT standard subdivision street is 275' and that is shown on Sheet 1 of the drawings. While this specific requirement is achievable, it would require the relocation of the Office for the park and the relocation of the office parking area.

Sheet 2 of the drawings shows the development of a VDOT street from the top of the hill at the park that would tie into the existing loop road. The profiles on this sheet illustrate differences in grade at Hightop Road to be approximately 6' and at Merrimac Road to be approximately 12'. This is not constructible. Sheet 3 of the drawings shows the development of a VDOT street from the bottom of the hill that would tie into Hightop and Merrimac Roads. The differences in grade at the top of the hill are approximately 22' and 28' respectively. This would entail grading of the existing loop road to tie into these lowered intersections. This road profile can be seen on Sheet 4 of the drawings. Just the grading of the roads to VDOT standards without taking into account the grading that would be needed to tie into the existing mobile home lots is shown on Sheet 5. This sheet does not illustrate the grading that would be required to make the existing lots in the park usable. The creation of a VDOT standard road system effectively destroys the park in its current state and would displace a large number of the Parks existing residents. Furthermore, the adjacent property owner would have to be willing to grant a grading easement on their property for the construction of the VDOT roads.

The final sheet shows construction of a private access drive that would tie into Merrimac Road from the existing loop road. In my engineering judgment, this connection is not necessary

and does not address what I perceive are the reasons put forth to request the road. The new road will be significantly steeper than the maximum grade allowed by VDOT for subdivision streets. The grade of the private drive is 19.25%. Quoting from VDOT's Road Design Manual, "In the interest of assuring an adequate, convenient, and safe access to public roads, VDOT recommends the grades along driveways not exceed 10%". The design as shown does not adequately provide for a landing at the intersection of Merrimac Road due to the increased grade and there is not adequate sight distance as required by VDOT for a new entrance without grading of the banks along Merrimac Road. For reference purposes, the grade of the existing private access drive on Hightop Road is approximately 14% which meets maximum VDOT grade requirements.

A second entrance for the amount of traffic in the park is not warranted either. I have attached a page from the Road Design Manual; Appendix B; page B-23 that discusses the entrance radii for entrances handling and ADT of 2000 or more. Our single entrance onto Hightop Road will handle an ADT of 2,140 by standard VDOT design calculations. Utilizing the Trip Generation Manual as published by the Institute of Transportation Engineers, provides for an ADT of between 1,018 and 1,053 trips. I have attached the chart from the Trip Generation Manual as well.

In closing, I think with the proposed drainage improvements to the entrance along Hightop Road and the challenges in providing a private entrance that would be lower quality than the existing entrance the SUP should be approved with the elimination of the requirement for a VDOT(or private) street.

If you have any questions, don't hesitate to give me a call.

Sincerely,  
Gay and Neel, Inc.

  
John T. Neel, P.E.  
President

Enclosures

cc: Jim Radford

JTN/scw

## 2. Ditch section private entrances

All private entrances shall be designed to serve one or two individual lots on a local subdivision street. All private entrances should be designed and constructed as shown in figure 9. Entrance radius should be 20' except in high density areas where a 12' radius can be allowed. All entrance pipe culverts will be sized to accommodate the run off expected from a 10-year frequency storm.

All entrance grades shall start back of the shoulder line. If drainage is necessary, the ditch line may be moved back to provide cover for pipe. Entrances shall be at least 12 ft. wide and shall be tied into the roadway smoothly. The driveway entrance surface shall extend from the edge of the roadway to the right of way line. Entrance surface can be crusher run aggregate or paved.

## 3. Driveway entrance grades

In the interest of assuring an adequate, convenient, and safe access to public roads, VDOT recommends the grades along driveways not exceed 10%.

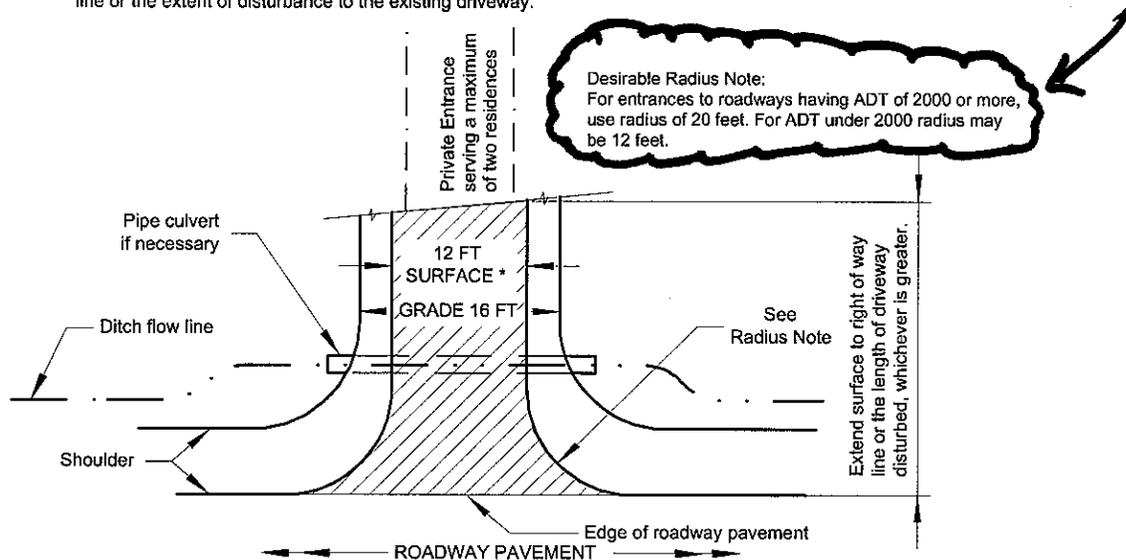
**Notes:**

See VDOT Road and Bridge Standards, Std. PE-1 for cut/fill details.

All entrance grades shall start back of the shoulder line.

If drainage is necessary, the ditch line may be moved back to provide 9 inches (min.) cover over pipe.

Entrances shall be 12 ft wide and transition smoothly into the roadway surface. Driveway entrance pavement shall extend to the right of line. When an existing street is re-developed and modification of an existing driveway entrance is required, the entrance pavement shall be extended to the right of way line or the extent of disturbance to the existing driveway.



**FIGURE 9 – PRIVATE ENTRANCE DETAIL**

459.1A

# Mobile Home Park (240)

Average Vehicle Trip Ends vs: Occupied Dwelling Units  
On a: Weekday

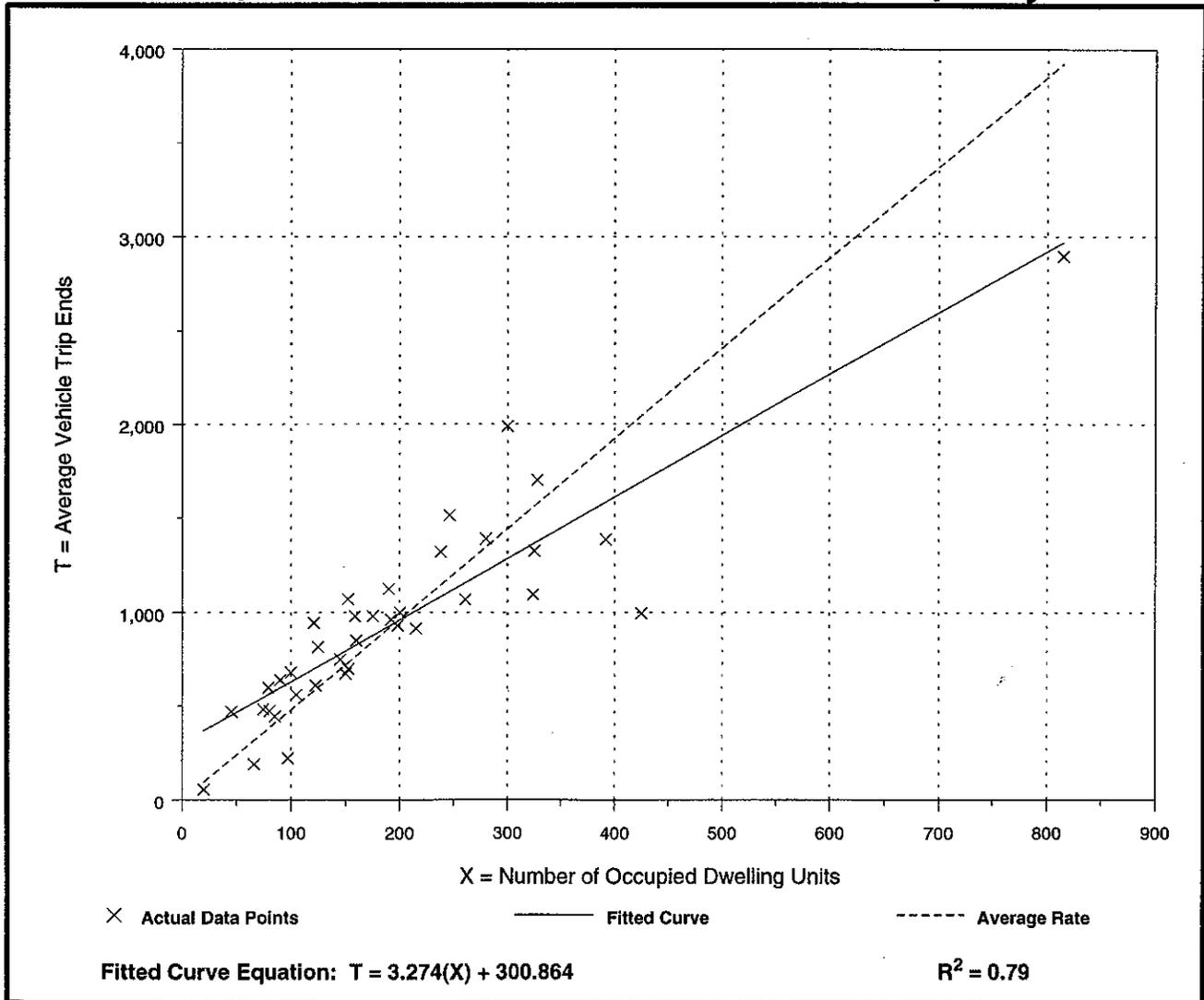
$219 \text{ UNITS} \times 4.81$   
 $= 1,053 \text{ AVT}$

Number of Studies: 37  
Avg. Num. of Occupied Dwelling Units: 195  
Directional Distribution: 50% entering, 50% exiting

## Trip Generation per Occupied Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
4.81	2.29 - 10.42	2.60

Data Plot and Equation  $T = 3.274(219) + 300.864 = 1,018 \text{ AVT}$





DESIGNED/CALC.: LHS  
 CHECKED: LHS  
 DRAWN: LHS  
 SCALE: 1"=60'  
 DATE: 10/28/08

JOB NO. 0459.1  
 SHEET 1 OF 6

REVISED:  
 11/07/08



**Oak Forest  
 Mobile Home Park**

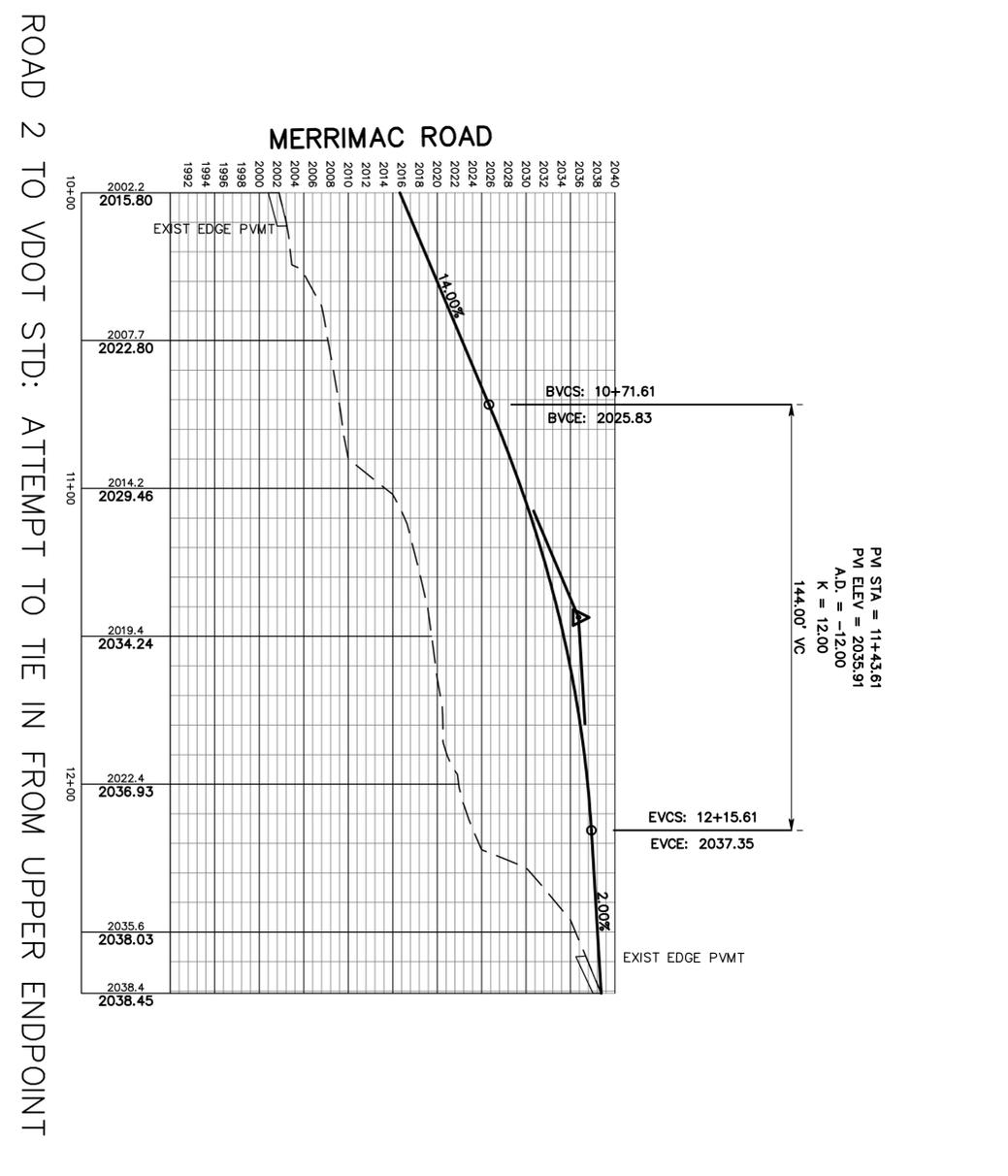
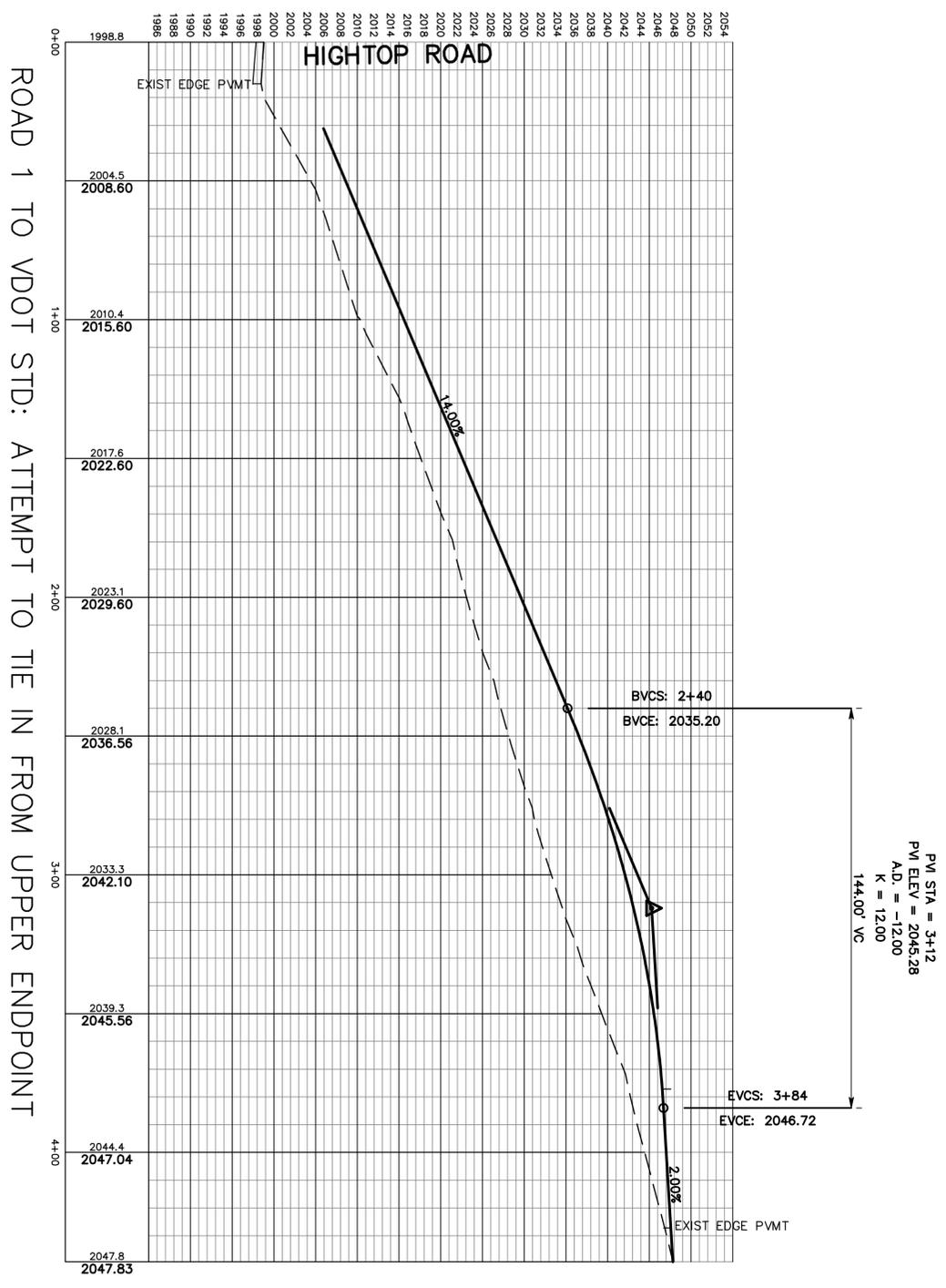
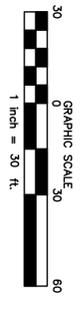
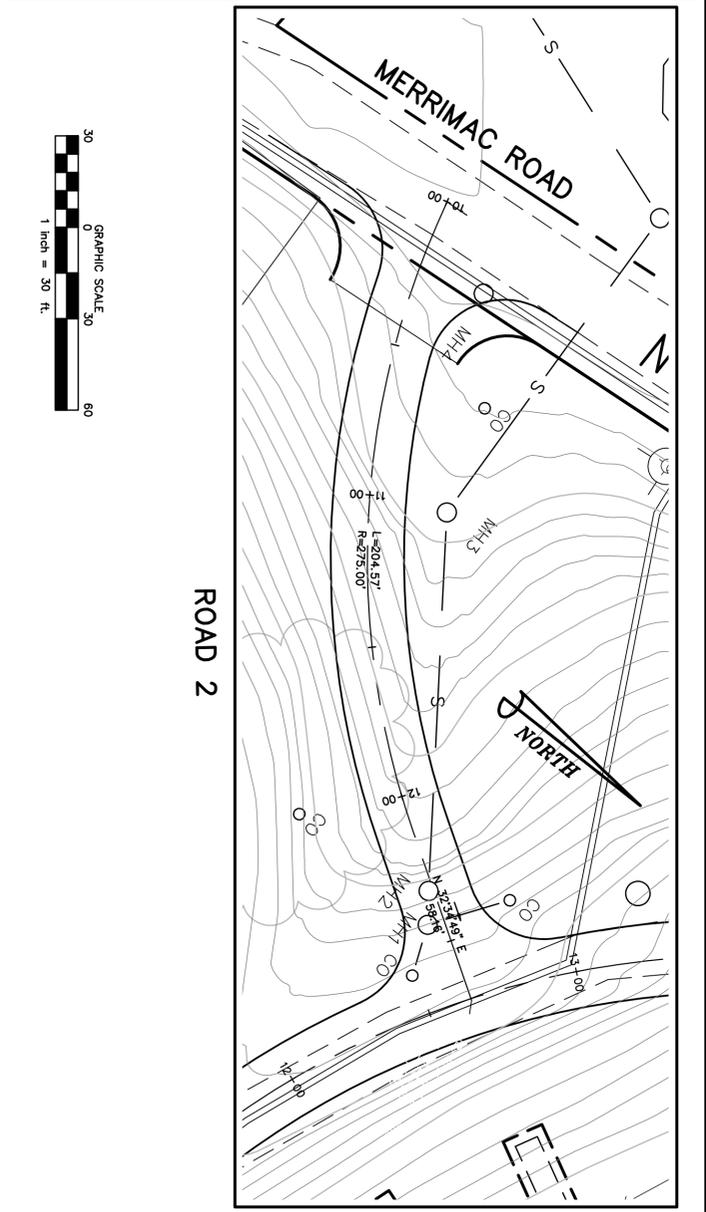
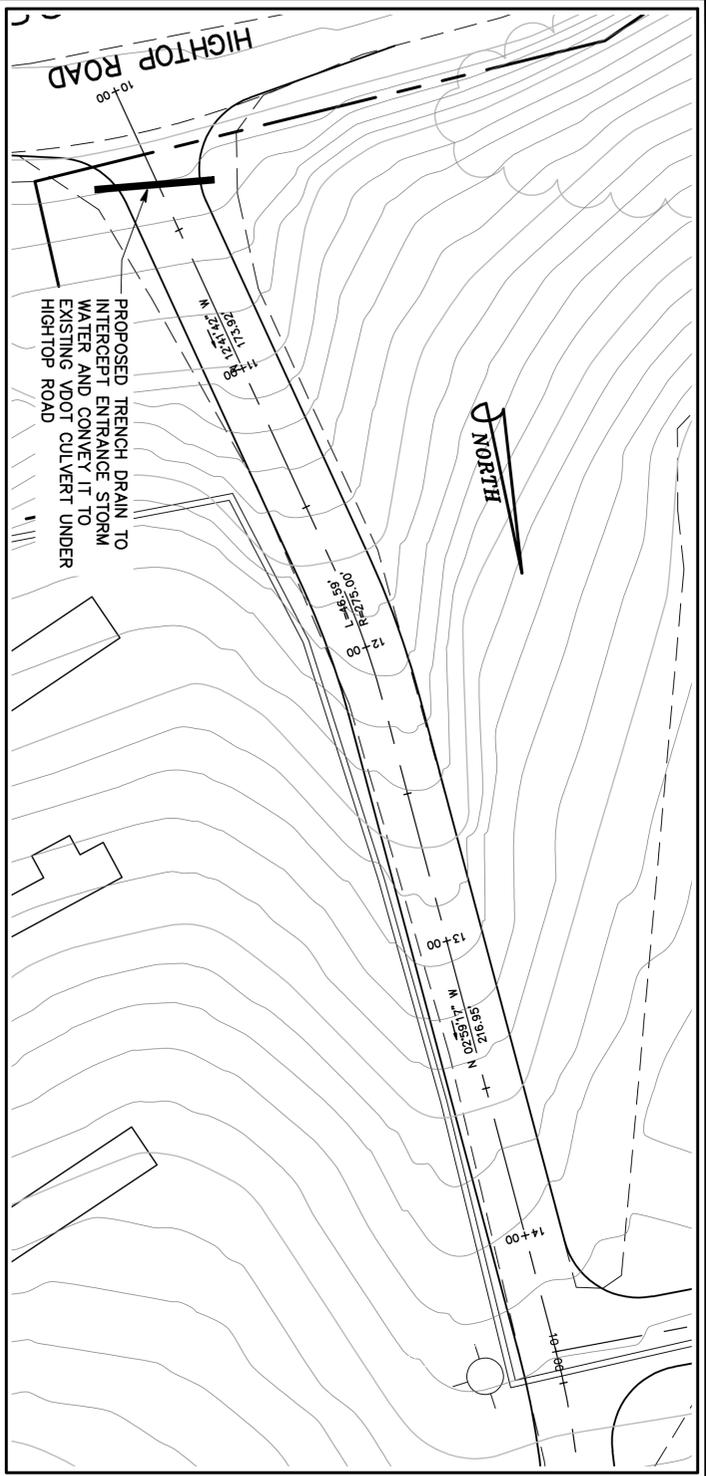
Montgomery County, Virginia

**Plan View  
 VDOT Horizontal  
 Constraints**



**GAY AND NEEL, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING

1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011 Fax: (540) 381-2773  
 Email: info@gayandneel.com



DESIGNED/CALC.: LHS  
 CHECKED: LHS  
 DRAWN: LHS  
 DATE: 10/28/08  
 JOB NO. 0459.1  
 SHEET 2 OF 6

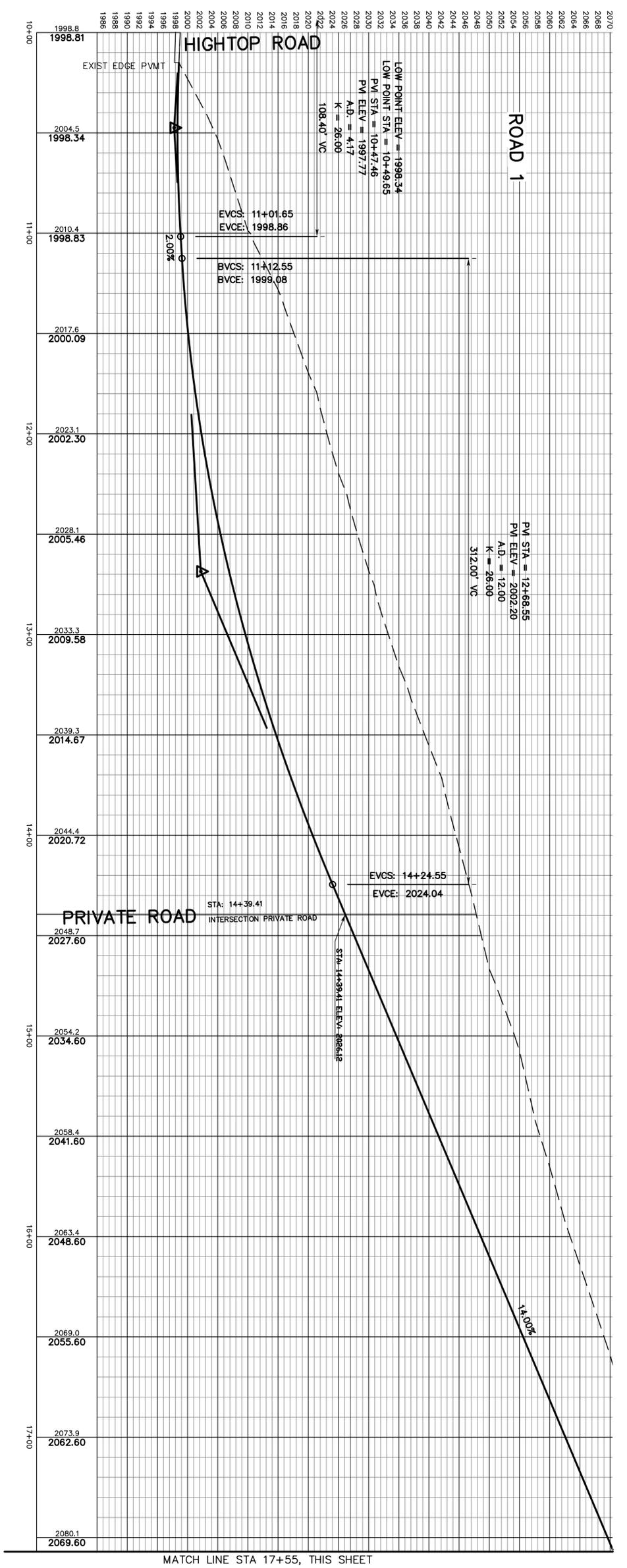
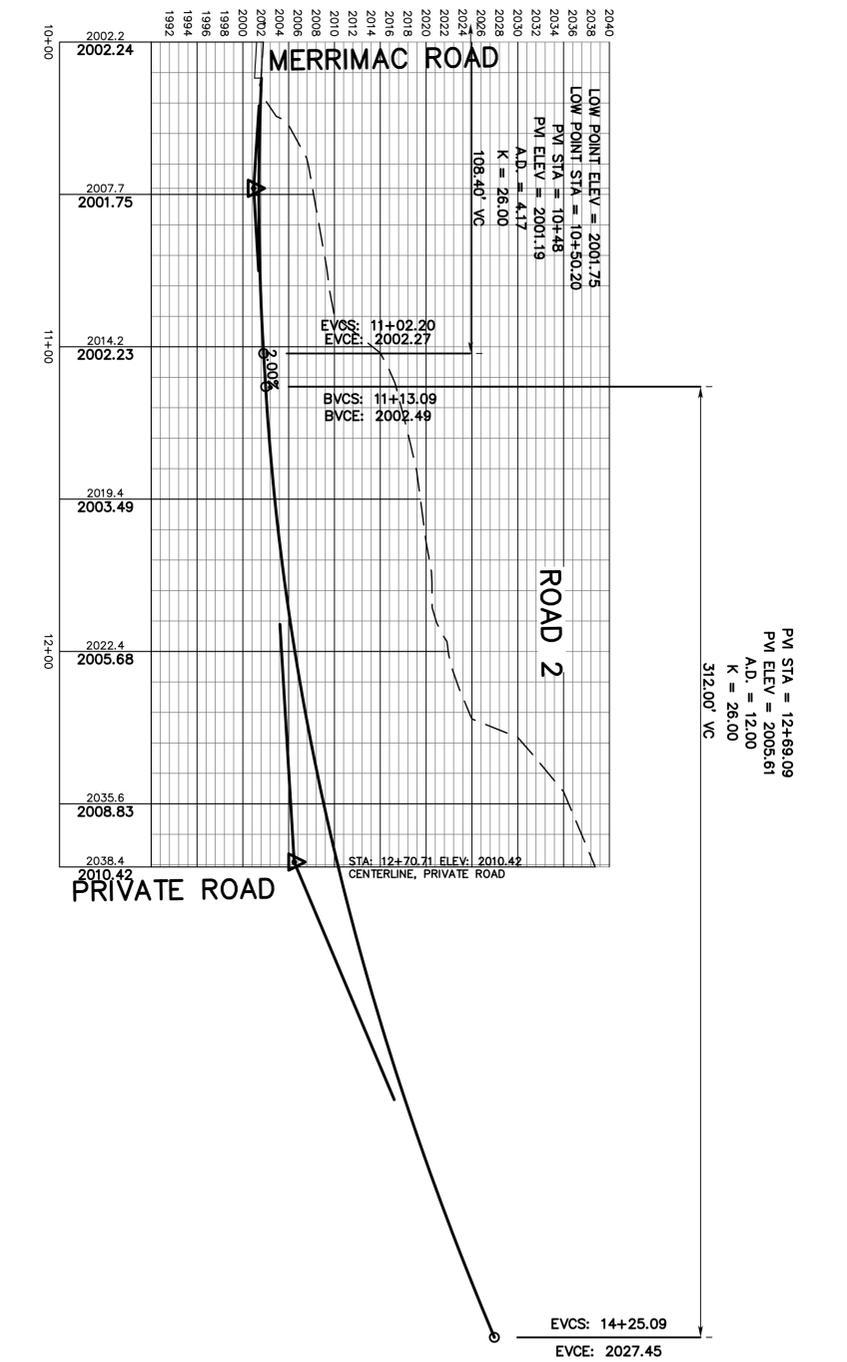
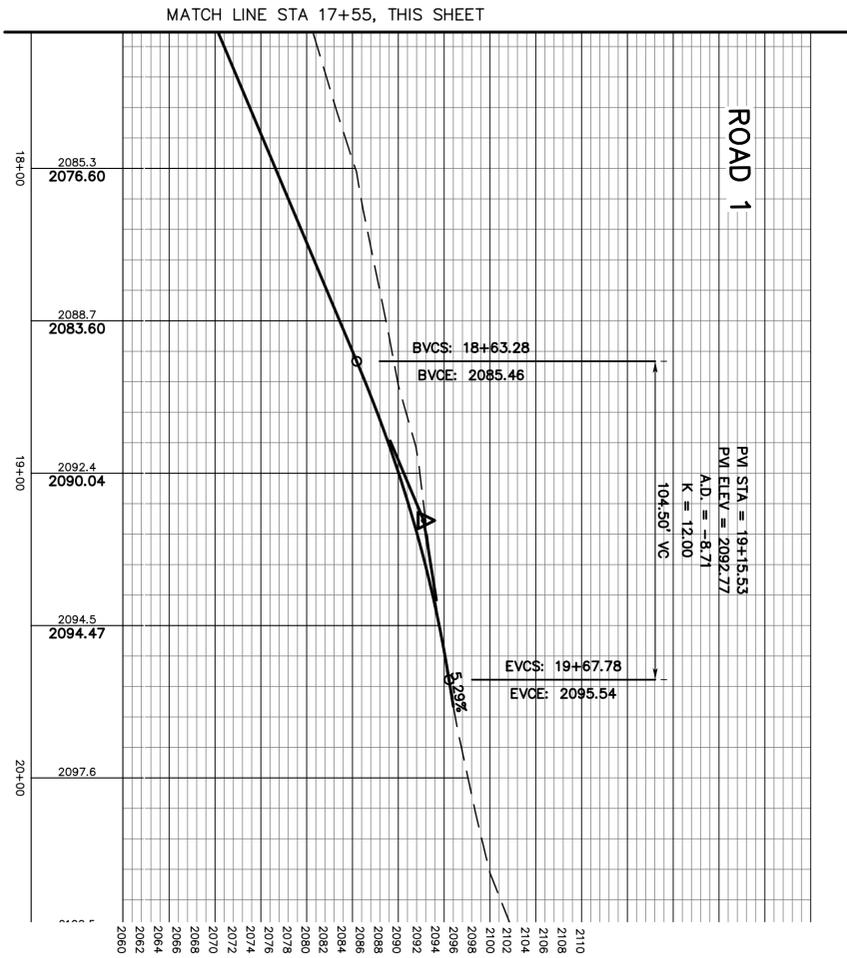
REVISED:  
 11/07/08



**Oak Forest  
 Mobile Home Park**  
 Montgomery County, Virginia

**Roads 1 and 2  
 Plan and Profile Views  
 VDOT Vertical  
 Constraints**

**GAY AND NEEL, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING  
 1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011 Fax: (540) 381-2773  
 Email: info@gayandneel.com



DESIGNED/CALC.: LHS  
CHECKED: LHS  
DRAWN: LHS  
SCALE: H:30' V:10'  
DATE: 10/28/08

JOB NO. 0459.1  
SHEET 3 OF 6

REVISED:  
11/07/08



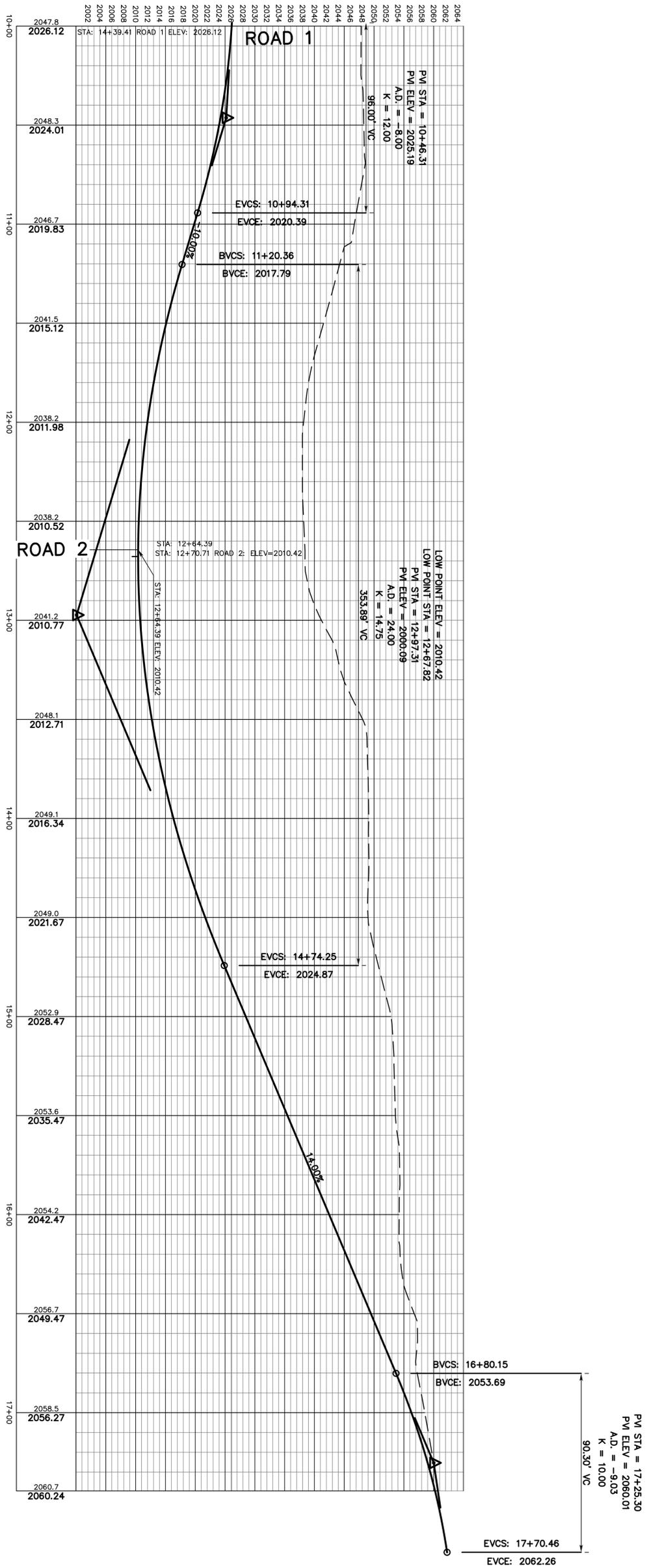
**Oak Forest  
Mobile Home Park**

Montgomery County, Virginia

Profiles, Roads 1 and 2  
Graded per VDOT  
Vertical Constraints  
Beginning @ Existing Road

**GAY AND NEEL, INC.**  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE  
SURVEYING

1260 Radford Street  
Christiansburg, Virginia 24073  
Phone: (540) 381-6011 Fax: (540) 381-2773  
Email: info@gayandneel.com



PRIVATE ROAD CONNECTING ROADS 1 AND 2

DESIGNED/CALC.: LHS  
 CHECKED: LHS  
 DRAWN: LHS  
 SCALE: H:30' V:10'  
 DATE: 10/28/08

JOB NO. **0459.1**

SHEET **4** OF **6**

REVISED:  
 11/07/08



*Oak Forest  
 Mobile Home Park*

Montgomery County, Virginia

*Profile  
 Private Road*

**GAY AND NEEL, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING

1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011 Fax: (540) 381-2773  
 Email: info@gayandneel.com



DESIGNED/CALC.: LHS  
 CHECKED: LHS  
 DRAWN: LHS  
 SCALE: 1"=60'  
 DATE: 10/28/08

JOB NO. 0459.1  
 SHEET 5 OF 6

REVISED:  
 11/07/08



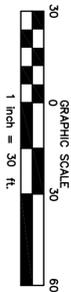
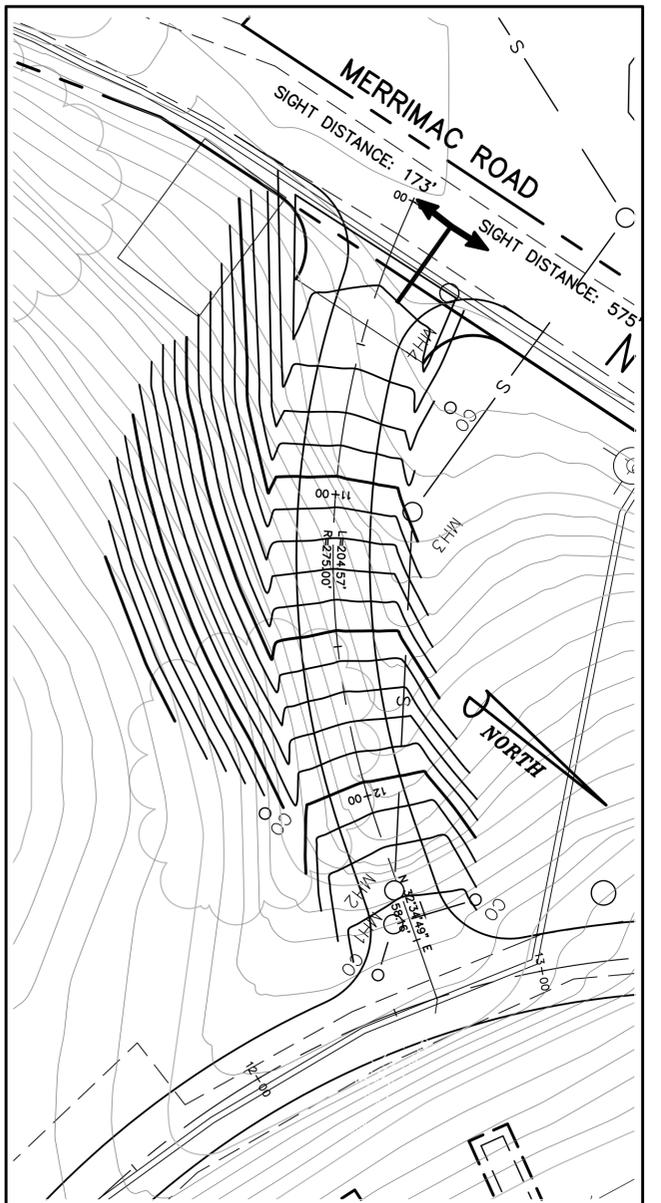
Oak Forest  
 Mobile Home Park

Montgomery County, Virginia

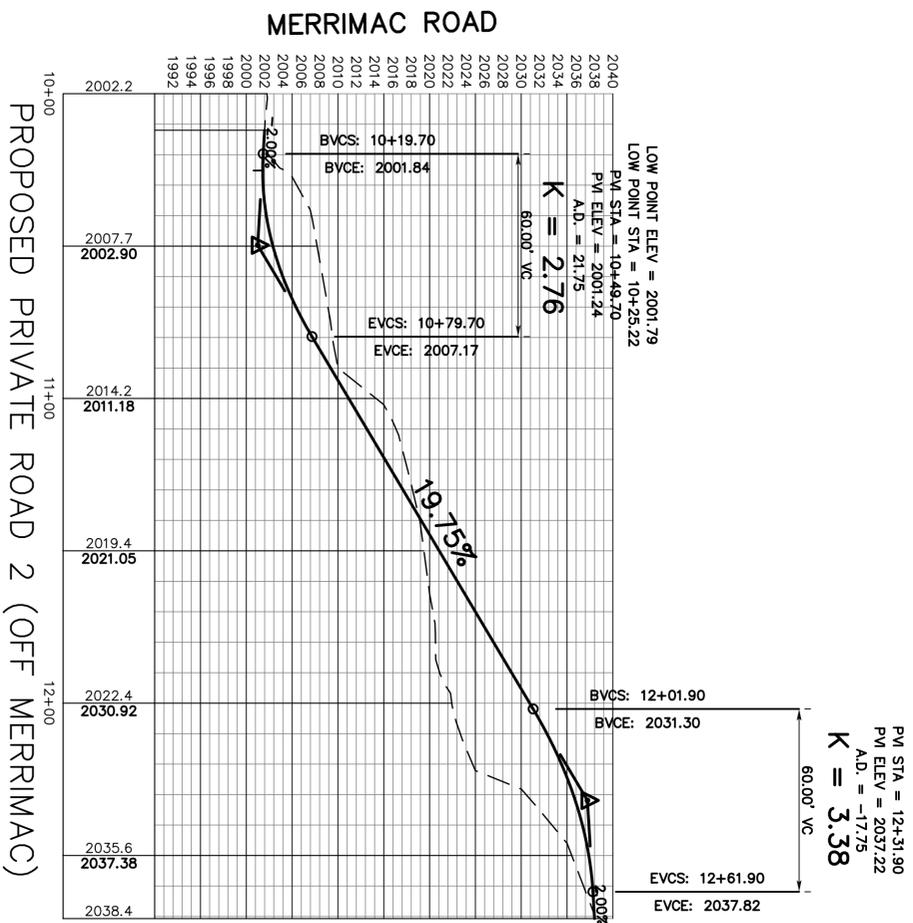
Plan View  
 Graded to Meet  
 VDOT Vertical  
 Constraints

**GAY AND NEEL, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING

1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011 Fax: (540) 381-2773  
 Email: info@gayandneel.com



DESIGN SPEED: 35 MPH  
 HEIGHT OF EYE: 3.5'  
 HEIGHT OF OBJECT: 3.5'  
 REQUIRED SIGHT DISTANCE: 390'



**GAY AND NEEL, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING

1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011 Fax: (540) 381-2773  
 Email: info@gayandneel.com

Plan and Profile View  
 Private Road 2  
 (Off Merrimac)

Oak Forest  
 Mobile Home Park

Montgomery County, Virginia

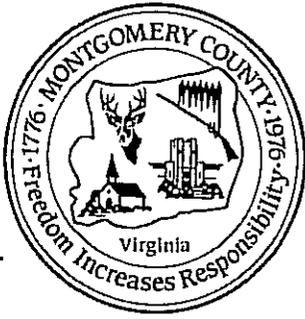


REVISED:  
 11/07/08

DESIGNED/CALC.: LHS  
 CHECKED: LHS  
 DRAWN: LHS  
 SCALE: H:30' V:10'  
 DATE: 10/28/08

JOB NO. **0459.1**

SHEET **6** OF **6**



MONTGOMERY COUNTY DEPARTMENT OF  
PLANNING COMMISSION

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission

FROM: Planning Department *Steve*

DATE: November 12, 2008

RE: Preliminary Plat Approval for H.S. Tejas Subdivision

Background- H.S Tejas Subdivision is located along Reese Mountain Road, in the Shawsville Magisterial District in Montgomery County, Virginia. The subdivision will consist of 10 lots served by individual wells and private septic systems. The Board of Supervisors approved a resolution authorizing the subdivision of Tax Map Parcel 33-(A)-6 using Reese Mountain Road. A private street as access to the public right of way subject to (7) seven conditions, as listed in resolution R-FY-09-31.

Developer: H.S. Tejas, LTD. C/O Mark Kelly  
Consultant: Gay and Neel Inc. C/O Ralph Clements  
PC Site Visit: N/A

Draft Resolution: Preliminary Plat Approval for H.S. Tejas Subdivision (Gay and Neel Job No. 1703.1 dated October 31, 2008) is made subject to the following conditions:

1. The Virginia Department of Health shall review and approve private septic systems to be located on each of the lots they serve.
2. The County GIS Analyst shall approve the street names and E-911 addresses.
3. The County Attorney shall review and approve covenants and restrictions and road maintenance agreement for compliance with approved resolution (R-FY-09-31)
4. All remaining items on the attached Subdivision Application Report shall be addressed.

After all of the above conditions are met, the Planning Commission will review and act on the Final Plat of Subdivision.

Attachments: Preliminary Plat dated 10/2/08, printed 10/31/08  
Subdivision Report dated 11/12/08  
Resolution R-FY-09-31

Montgomery County, Virginia  
SUBDIVISION APPLICATION REPORT

11/12/2008

Subdivision Application Number: MAJ-2008-00257

Applicant Name: RALPH O. CLEMENTS LS GAY AND NEEL INC  
Applicant Address: 1260 RADFORD Street ChristiansburgVA24073

Subdivision Name: HS TEJAS LTD SUBDIVISION  
Job ID: 1703.1

Parcel ID: 002853 Tax Map Number: 033- A 6

We have reviewed your subdivision plat and find that the following corrections need to be made to satisfy the requirements of the Montgomery County Subdivision Ordinance.

**Plat Features:**

Checklist Item	Comments
Digital version provided meeting departmental guidelines	Provide after Final Plat approval

**Lot Design and Arrangement:**

Checklist Item	Comments
———Provide private access easement note	Please provide

**Sewer:**

Checklist Item	Comments
VDH Subdivision Approval Letter (documentation) for private soil evaluations	

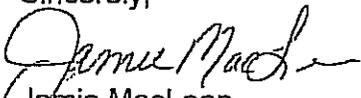
**Additional Comments:**

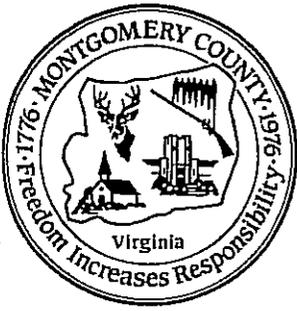
PLEASE REVISE LOT ASSIGNMENT TABLE ON SHEET 1. UNDER ACREAGE ADD NOTE 1067.27 ACRES IN MONTGOMERY CO. UNDER LOT ASSIGNMENT REMOVE '32 PER SLIDING SCALE' FOR CLARITY.

ROAD MAINTENANCE MUST BE REVIEWED AND APPROVED BY COUNTY ATTORNEY

Please contact us at (540) 394-2148 if you have any questions.

Sincerely,

  
Jamie MacLean  
Subdivision Agent



MONTGOMERY COUNTY  
BOARD OF SUPERVISORS

755 ROANOKE STREET, SUITE 2E, CHRISTIANSBURG, VIRGINIA 24073-3181

September 9, 2008

DISTRICT A  
ANNETTE S. PERKINS  
CHAIR  
aperkins@naxs.net

DISTRICT B  
DOUG MARRS  
VICE-CHAIR  
marrsdw@ntelos.net

DISTRICT C  
GARY D. CREED  
garycreed@naxs.net

DISTRICT D  
JAMES D. POLITIS  
bcbuffalo@aol.com

DISTRICT E  
WILLIAM H. BROWN  
brownwh@montgomery  
countyva.gov

DISTRICT F  
MARY W. BIGGS  
mbiggs@naxs.com

DISTRICT G  
JOHN A. MUFFO  
jmuffo@yahoo.com

Mr. Ralph Clements, L.S.  
Gay and Neel, Inc.  
1260 Radford Street  
Christiansburg, Va 24073

**RE: Amended Resolution – HS Tejas Ltd., Fort Lewis Mountain Property**

Dear Mr. Clements,

Please find enclosed a copy of the Montgomery County Board of Supervisors resolution dated September 8, 2008 amending the conditions on the resolution dated May 27, 2008 approving HS Tejas, Ltd. Request to use a private street for a proposed subdivision. Condition # 4 was amended regarding the helicopter landing as outlined in the resolution.

If you should have any questions or need further assistance regarding this matter, please contact Steve Sandy, Planning Director, at 394-2148

Sincerely,

Vickie Swinney, CMC  
Secretary, Board of Supervisors

Enclosure

cc: Steve Sandy, Planning Director

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 8<sup>th</sup> DAY OF SEPTEMBER, 2008 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

**R-FY-09-31  
RESOLUTION AMENDING CONDITIONS  
OF THE APPROVAL OF THE USE OF A PRIVATE STREET  
FOR THE HS TEJAS SUBDIVISION**

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors at its May 27, 2008 meeting approved a Resolution authorizing HS Tejas, Ltd. to subdivide Tax Map Parcel 33-(A)-6 ("the Property") using Reese Mountain Road, a private street as access to the public right of way subject to seven (7) conditions; and

WHEREAS, HS Tejas, Ltd. has requested the Board of Supervisors to amend condition number four by allowing the helicopter landing area for emergency evacuation to be located and constructed on property adjacent to the subdivision as opposed to being located and constructed within the proposed subdivision; and

WHEREAS, The Board of Supervisors hereby agrees to approve amending condition number four by allowing the helicopter landing area to be constructed on property adjacent to the proposed subdivision conditioned upon HS Tejas, Ltd. obtaining the necessary property rights and local land use approval to locate and maintain the helicopter landing area off-site.

NOW THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approve of HS Tejas, Ltd. subdividing the Property using Reese Mountain Road, a private street, to provide access to the public right of way subject to the proposed subdivision meeting the requirements of the Montgomery County subdivision ordinance and the following additional amended conditions imposed in order to provide the efficient and safe utilization of the Property:

1. A second ingress and egress for the Property for emergency access shall be shown on the subdivision plat and maintained by the property owners from Reese Mountain Road through to Gray Fox Lane in Roanoke County.
2. The private Reese Mountain Road shall be maintained by all the property owners in the subdivision pursuant to a Road Maintenance Agreement. Through covenants and deed restrictions each property owner within the subdivision shall be required to participate in the cost of maintaining private Reese Mountain Road or its successor road. The Road Maintenance Agreement shall be

reviewed and approved by the County Attorney prior to approval of the first subdivision plat submitted for County approval for the Property.

3. The subdivision using private Reese Mountain Road shall have a minimum lot size of 20 acres or greater with no more than 45 lots total for the entire Property and a length of street per lot ratio of one hundred fifty (150) feet per lot or greater. The private Reese Mountain Road shall have a maximum grade of eighteen (18) percent and a minimum width of all weather surface or pavement of eighteen (18) feet. All necessary road improvements shall be completed prior to approval of the first subdivision plat submitted for County approval for the Property.

4. A helicopter landing area shall be constructed within the subdivision or off-site on property adjacent to the subdivision for emergency evacuations. If the helicopter landing area is located and constructed off-site, HS Tejas, Ltd. shall either own the property or obtain necessary easement rights to locate and maintain the helicopter landing area on the off-site property. HS Tejas, Ltd. shall provide to the County prior to subdivision approval documentation concerning the property rights for the use of the off-site property as well as land use approval from Roanoke County should the landing area be located off-site in Roanoke County. The design of the landing area shall be approved by the Lifeguard 10 service. The helicopter landing area shall be constructed prior to any subdivision approval by the County. The helicopter landing area shall be maintained by the Subdivision's Homeowner's Association.

5. Within the covenants and deed restrictions for the subdivision a provision shall be included limiting the clearing of trees to a maximum area of seventy-five (75) feet around each home site with the exception of any clearing needed for the installation of drainfields and driveways which shall be limited to a maximum of fifteen (15) feet beyond the edge of the drainfield site or driveway.

6. HS Tejas, LTD shall provide all purchasers of the Property with a copy of the "Notice to All Potential Purchasers" (the "Notice") prior to closing. A copy of the Notice is attached and incorporated by reference.

7. All lots shall have approved drainfield locations prior to approval of final subdivision plat.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Doug Marrs	
William H. Brown	
John A. Muffo	
Mary W. Biggs	
Gary D. Creed	
Annette S. Perkins	

ATTEST: B. Clayton Goodman, III  
B. Clayton Goodman, III  
County Administrator

**OWNERS CONSENT & DEDICATION STATEMENT:**  
 THE PLAT OF MAJOR SUBDIVISION OF A PORTION OF TAX PARCEL No. 33-(A)-6 PREPARED FOR H.S. TEJAS, LTD. DATED 10/02/08 AS APPEARS ON THIS PLAT, HAS BEEN MADE WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS, IF ANY, AND THAT THE 20' WIDE INGRESS / EGRESS EMERGENCY ACCESS EASEMENT IS HEREBY RESERVED AND MADE.

H.S. TEJAS, LTD. \_\_\_\_\_ DATE \_\_\_\_\_

**NOTARY'S STATEMENT:**  
 FOR A PERSON WHO IS SIGNING ON BEHALF OF A CORPORATION:

STATE OF: \_\_\_\_\_  
 CITY / COUNTY OF: \_\_\_\_\_  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ BY \_\_\_\_\_ OF \_\_\_\_\_  
 CORPORATION ON BEHALF OF THE CORPORATION.  
 NOTARY PUBLIC \_\_\_\_\_ REGISTRATION No. \_\_\_\_\_

**APPROVAL AND ACCEPTANCE:**  
 UNDER AUTHORITY OF THE SUBDIVISION AND ZONING ORDINANCES OF MONTGOMERY COUNTY, VIRGINIA, THE HERON SHOWN PLAT IS HEREBY APPROVED FOR RECORDATION.

CHAIRMAN, MONTGOMERY COUNTY BOARD OF SUPERVISORS \_\_\_\_\_ DATE \_\_\_\_\_  
 CHAIRMAN, MONTGOMERY COUNTY PLANNING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_  
 MONTGOMERY COUNTY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_  
 MONTGOMERY COUNTY SUBDIVISION AGENT \_\_\_\_\_ DATE \_\_\_\_\_

**INDEX OF SHEETS:**  
 SHEET 1 OF 6: SIGNATURE BLOCKS, AREAS, APPROVALS  
 SHEET 2 OF 6: LEGEND, ABBREVIATIONS, NOTES  
 SHEET 3 OF 6: MAJOR SUBDIVISION  
 SHEET 4 OF 6: MAJOR SUBDIVISION  
 SHEET 5 OF 6: OVERALL PROPERTY  
 SHEET 6 OF 6: DRAIN FIELD DETAILS

PLAT OF  
**MAJOR SUBDIVISION OF**  
 A PORTION OF  
**TAX PARCEL No. 33-(A)-6**  
**H.S. TEJAS, LTD.**  
 ALONG REESE MOUNTAIN ROAD  
 SHAWMSVILLE MAGISTERIAL DISTRICT  
 MONTGOMERY COUNTY, VIRGINIA

**STATEMENT OF INTENT:**  
 THE PURPOSE OF THIS PLAT IS TO CREATE LOTS 1 - 10, AS SHOWN HERON, PER THE REQUIREMENTS AND PROVISIONS OF THE SUBDIVISION AND ZONING ORDINANCE OF MONTGOMERY COUNTY, VIRGINIA, AS THEY PERTAIN TO MAJOR SUBDIVISIONS.

LOT ASSIGNMENT TABLE, A-1 ZONING DISTRICT:

BEFORE SUBDIVISION			AFTER SUBDIVISION		
LOT/PARCEL	ACREAGE	LOT ASSIGNMENT	LOT/PARCEL	ACREAGE	LOT ASSIGNMENT
TAX PARCEL 33-(A)-6	±1714.82	55 (32 PER COUNTY SLIDING SCALE (45 PER RESOLUTION OF RTV-08-177))	LOT 1	20.000	1
			LOT 2	21.207	1
			LOT 3	20.000	1
			LOT 4	20.035	1
			LOT 5	20.000	1
			LOT 6	20.189	1
			LOT 7	20.000	1
			LOT 8	20.031	1
			LOT 9	21.782	1
			LOT 10	20.011	1
REMAINING TAX PARCEL 33-(A)-6	±884.06	35			
REMAINING 33-(A)-6 = ±884.06 AC. FROM RECORDS (MONTGOMERY COUNTY) REMAINING 053.00-01-07.000-0000 = ±847.55 AC. FROM RECORDS (ROANOKE COUNTY)					

**V.D.H. SUBDIVISION APPROVAL STATEMENT:**  
 This subdivision is approved for individual onsite sewage systems in accordance with the provisions of the Code of Virginia, and the Sewage Handling and Disposal Regulations (12 VAC 5-610-10 et seq, the "Regulations"), (and local ordinances if the locality has authorized the local health department to accept private evaluations for compliance with local ordinances).

This subdivision was submitted to the Health Department for review pursuant to § 32.1-163.5 of the Code of Virginia which requires the Health Department to accept private soil evaluations and designs from an Authorized Onsite Soil Evaluator (AOSE) or a Professional Engineer working in consultation with an AOSE for residential development. The Department is not required to perform a field check of such evaluations. This subdivision was certified as being in compliance with the Board of Health's regulations by: Charles E. Nelson, AOSE #15. This subdivision approval is issued in reliance upon that certification.

Pursuant to § 360 of the Regulations this approval is not an assurance that Sewage Disposal System Construction Permits will be issued for any lot in the subdivision unless that lot is specifically identified as having an approved site for an onsite sewage disposal system, and unless all conditions and circumstances are present at the time of application for a permit or are present at the time of this approval. This subdivision may contain lots that do not have approved sites for onsite sewage systems.

This subdivision approval is issued in reliance upon the certification that approved lots are suitable for "traditional systems", however actual system designs may be different at the time construction permits are issued.

LOTS 1-10 SHALL REQUIRE ADVANCED SECONDARY TREATMENT INTO DRIP SYSTEM.

**HEALTH DEPARTMENT APPROVAL:**  
 THIS SUBDIVISION IS APPROVED BY THE MONTGOMERY COUNTY HEALTH DEPARTMENT WITH THE STIPULATION THAT THIS IS NOT A BLANKET APPROVAL THAT EACH LOT IS TO BE INDIVIDUALLY EVALUATED FOR WATER AND SEWERAGE BEFORE FINAL APPROVAL IS GRANTED.

HEALTH DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**SOURCE OF TITLE:**  
 THIS IS TO CERTIFY THAT THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS PLAT OF MAJOR SUBDIVISION OF A PORTION OF TAX PARCEL No. 33-(A)-6 PREPARED FOR H.S. TEJAS, LTD. DATED 10/02/08, IS A PORTION OF THE PROPERTY WHICH WAS ACQUIRED BY DEED RECORDED IN INSTRUMENT NO. 200601939 AND 200601941 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF MONTGOMERY COUNTY, VIRGINIA, SAID DEEDS BEING THE LAST INSTRUMENTS BY WHICH SAID OWNER ACQUIRED HIS INTEREST IN THE SUBJECT PROPERTY.

RALPH O. CLEMENTS, L.S. LIC. #1864 \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYORS CERTIFICATE & CONFORMING STATEMENT:**  
 I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A CURRENT FIELD SURVEY MADE BY ME AT THE DIRECTION OF THE OWNERS, THAT THE MONUMENTS SHOWN HERON HAVE ACTUALLY BEEN PLACED AND THEIR LOCATION AND CHARACTER ARE CORRECTLY SHOWN, THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND COMPLES WITH THE MINIMUM STANDARDS AND PROCEDURES ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS, AND THAT THIS PLAT HAS BEEN PREPARED IN COMPLIANCE WITH THE REQUIREMENTS AND PROVISIONS OF THE SUBDIVISION AND ZONING ORDINANCE OF MONTGOMERY COUNTY, VIRGINIA, AS APPLICABLE.

RALPH O. CLEMENTS, L.S. LIC. #1864 \_\_\_\_\_ DATE \_\_\_\_\_

**GAY AND NEEL, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING  
 1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011 Fax: (540) 381-2773  
 Email: info@gayandneel.com

Plat of  
**Major Subdivision of A**  
**Portion of Tax Parcel 33-(A)-6**  
 Prepared For  
**H.S. Tejas, LTD.**  
 along Reese Mountain Road  
 Shawsville Magisterial District Montgomery County, Virginia

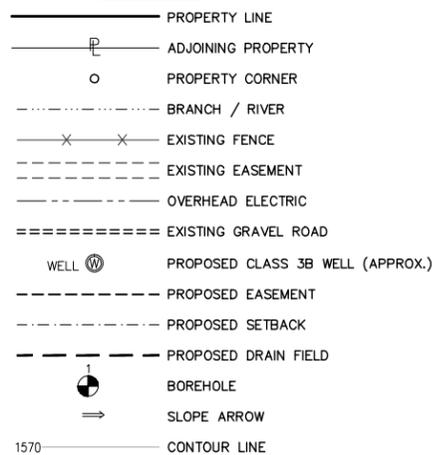
DESIGNED/CALC.: KJD  
 CHECKED: KJD  
 DRAWN: NONE  
 SCALE: 10/02/08  
 DATE: 10/02/08

REVISIONS:  
 JOB NO. 1703.1  
 SHEET 1 OF 6

**ABBREVIATIONS:**

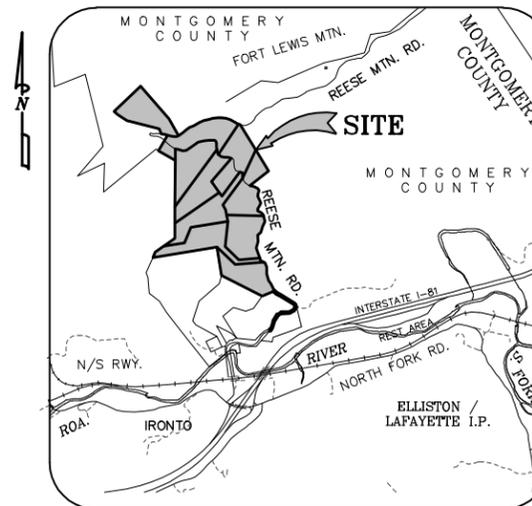
ABAN.=ABANDONED  
 AC.=ACRE(S)  
 A.K.A.=ALSO KNOWN AS  
 APPROX.=APPROXIMATE  
 c/o=CHIEF OFFICER  
 CO.=COMPANY  
 CONT.=CONTINUED  
 D.B.=DEED BOOK  
 DR.=DRIVE  
 ELEC.=ELECTRIC  
 ESMT.=EASEMENT  
 ET AL=AND OTHERS  
 FND.=FOUND  
 PROJ.=PROJECT  
 I.P.=INDUSTRIAL PARK  
 INST.=INSTRUMENT  
 JR.=JUNIOR  
 LOC.=LOCATION  
 MI.=MILE  
 MT.=MOUNT  
 MTN.=MOUNTAIN  
 N.=NORTH  
 N/S=NORFOLK SOUTHERN RAILWAY  
 NO./#=NUMBER  
 ORIG.=ORIGINAL  
 P.B.=PLAT BOOK  
 PG.=PAGE  
 PID=PARCEL IDENTIFICATION NO.  
 RD.=ROAD  
 RT.=ROUTE  
 R/W=RIGHT OF WAY  
 RWY.=RAILWAY  
 S.=SOUTH  
 W/=WITH  
 VDH=VIRGINIA DEPARTMENT OF HIGHWAYS  
 VDOT=VIRGINIA DEPARTMENT OF TRANSPORTATION  
 ±=PLUS/MINUS

**LEGEND:**



**LIST OF ADDRESSES:**

LOT 1= # REESE MTN. RD.  
 LOT 2= # REESE MTN. RD.  
 LOT 3= # REESE MTN. RD.  
 LOT 4= # REESE MTN. RD.  
 LOT 5= # REESE MTN. RD.  
 LOT 6= # REESE MTN. RD.  
 LOT 7= # REESE MTN. RD.  
 LOT 8= # REESE MTN. RD.  
 LOT 9= # REESE MTN. RD.  
 LOT 10= # REESE MTN. RD.



**FRONTAGE SUMMARY:**

(AT PROPERTY LINE ALONG REESE MNT. ROAD)

LOT 1 = +874'  
 LOT 2 = 150.00'  
 LOT 3 = 1145.21'  
 LOT 4 = 1007.59'  
 LOT 5 = 206.01'  
 LOT 6 = 793.97'  
 LOT 7 = 344.25'  
 LOT 8 = 1317.07'  
 LOT 9 = 3384.81'  
 LOT 10 = 446.25'

**NOTES:**

- CURRENT OWNER(S) & LEGAL REFERENCE(S):  
 H.S. TEJAS, LTD. (TAX PARCEL 33-(A)-6; PARCEL ID#002853)  
 c/o MARK KELLY, P.O. BOX 1350, SANTA ROSA BEACH, FLORIDA 32459  
 INSTRUMENT NO. 2006011939, 2006011941; P.B. 26 PG. 242; P.B. 10 PG. 121.
- TOPOGRAPHY, AS SHOWN ON SHEET 6, IS DERIVED FROM MONTGOMERY COUNTY LIDAR DATA AND ON-SITE VERIFICATION BY FIELD SURVEY. VERTICAL DATUM USED IS NAVD 88; CONTOUR INTERVAL IS 2'.
- CURRENT SUBJECT ZONING: MONTGOMERY COUNTY, A1-AGRICULTURAL.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT INDICATE ALL ENCUMBRANCES AND EASEMENTS THAT MAY AFFECT THE SUBJECT PROPERTY.
- THIS PLAT IS BASED ON AN ACTUAL FIELD SURVEY BY GAY AND NEEL, INC., USING MONUMENTS FOUND TO EXIST AND THEREFORE MAY NOT CONFORM TO PREVIOUS DEEDS OR PLATS OF RECORD.
- IRON RODS TO BE SET AT ALL LOT CORNERS, UNLESS OTHERWISE SHOWN HEREON.
- THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A F.E.M.A. DESIGNATED 100-YEAR FLOOD ZONE. THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AS SHOWN ON F.I.R.M. COMMUNITY PANEL NO. 510099 0044 B EFFECTIVE DATE OF JANUARY 6, 1994. THIS DETERMINATION HAS BEEN MADE BY GRAPHIC METHODS ONLY. NO ELEVATION STUDY HAS BEEN PERFORMED AS A PART OF THIS PROJECT.
- BUILDING SETBACKS PER MONTGOMERY COUNTY ZONING: FRONT: 40, SIDE: 15, REAR: 40'. SETBACKS ARE SHOWN BASED ON THE OPINION OF THIS SURVEYOR. CONTACT MONTGOMERY COUNTY ZONING OFFICE PRIOR TO CONSTRUCTION OF BUILDINGS. SEE VARIANCE FOR THIS PROJECT FOR DETAILS. HEIGHT PER MONTGOMERY COUNTY ZONING: BUILDINGS MAY BE ERECTED UP TO 40' IN HEIGHT.
- THERE ARE NO KNOWN IDENTIFICATIONS OF GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF HUMAN BURIAL OBSERVED ON THE SUBJECT PROPERTY DURING THE COURSE OF THIS SURVEY.
- RESOLUTION OF RFY-08-177 APPROVING USE OF PRIVATE STREET FOR THE H.S. TEJAS SUBDIVISION SUBJECT TO CERTAIN CONDITIONS, WHICH ARE AS FOLLOWS: HS TEJAS, LTD., IS THE OWNER OF CERTAIN LAND LYING AND BEING IN THE COUNTY OF MONTGOMERY DESIGNATED AS PARCEL # 002853, AND TAX MAP PARCEL 33-(A)-6 ON THE TAX MAPS OF MONTGOMERY COUNTY, VIRGINIA ("PROPERTY"); AND WHEREAS, H.S. TEJAS, LTD. HAS REQUESTED THE BOARD OF SUPERVISORS FOR PERMISSION TO SUBDIVIDE THEIR PROPERTY USING REESE MOUNTAIN ROAD, A PRIVATE STREET, FOR ACCESS TO THE PUBLIC STREET AS PROVIDED FOR IN SECTION 8-152 OF THE MONTGOMERY COUNTY SUBDIVISION ORDINANCE. NOW, THEREFORE, BE IT RESOLVED, THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA APPROVES OF H.S. TEJAS, LTD., SUBDIVIDING THEIR PROPERTY USING REESE MOUNTAIN ROAD, A PRIVATE STREET, TO PROVIDE ACCESS TO THE PUBLIC STREET SUBJECT TO THE PROPOSED SUBDIVISION MEETING THE REQUIREMENTS OF THE MONTGOMERY COUNTY SUBDIVISION ORDINANCE AND FOLLOWING ADDITIONAL CONDITIONS IMPOSED IN ORDER TO PROMOTE THE EFFICIENT UTILIZATION OF THE PROPERTY:
  - A SECOND INGRESS AND EGRESS FOR THE PROPERTY FOR EMERGENCY ACCESS SHALL BE SHOWN ON THE SUBDIVISION PLAT AND MAINTAINED BY THE PROPERTY OWNERS FROM REESE MOUNTAIN ROAD THROUGH TO GRAY FOX LANE IN ROANOKE COUNTY.
  - THE PRIVATE REESE MOUNTAIN ROAD SHALL BE MAINTAINED BY ALL THE PROPERTY OWNERS IN THE SUBDIVISION PURSUANT TO A ROAD MAINTENANCE AGREEMENT. THROUGH COVENANTS AND DEED RESTRICTIONS EACH PROPERTY OWNER WITHIN THE SUBDIVISION SHALL BE REQUIRED TO PARTICIPATE IN THE COST OF MAINTAINING PRIVATE REESE MOUNTAIN ROAD OR ITS SUCCESSOR ROAD. THE ROAD MAINTENANCE AGREEMENT SHALL BE REVIEWED AND APPROVED BY THE COUNTY ATTORNEY PRIOR TO APPROVAL OF THE FIRST SUBDIVISION PLAT SUBMITTED FOR COUNTY APPROVAL FOR THE PROPERTY.
  - THE SUBDIVISION USING PRIVATE REESE MOUNTAIN ROAD SHALL HAVE A MINIMUM LOT SIZE OF 20 ACRES OR GREATER WITH NO MORE THAN 45 LOTS TOTAL FOR THE ENTIRE PROPERTY AND A LENGTH OF STREET PER LOT RATIO OF ONE HUNDRED FIFTY (150) FEET PER LOT OR GREATER. THE PRIVATE REESE MOUNTAIN ROAD SHALL HAVE A MAXIMUM GRADE OF EIGHTEEN (18) PERCENT AND A MINIMUM WIDTH OF ALL WEATHER SURFACE OR PAVEMENT OF EIGHTEEN (18) FEET. ALL NECESSARY ROAD IMPROVEMENTS SHALL BE COMPLETED PRIOR TO APPROVAL OF THE FIRST SUBDIVISION PLAT SUBMITTED FOR COUNTY APPROVAL FOR THE PROPERTY.
  - A HELICOPTER LANDING AREA FOR EMERGENCY EVACUATIONS SHALL BE SHOWN ON THE SUBDIVISION PLAT AND CONSTRUCTED ON THE PROPERTY. THE LANDING AREA SHALL BE DESIGNED AND APPROVED BY THE LIFE-GUARD 10 SERVICE. THE LANDING AREA SHALL BE CONSTRUCTED PRIOR TO APPROVAL OF THE FIRST SUBDIVISION PLAT SUBMITTED FOR COUNTY APPROVAL FOR THE PROPERTY AND SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
  - WITHIN THE COVENANTS AND DEED RESTRICTIONS FOR THE SUBDIVISION A PROVISION SHALL BE INCLUDED LIMITING THE CLEARING OF TREES TO A MAXIMUM AREA OF SEVENTY-FIVE (75) FEET AROUND EACH HOME SITE WITH THE EXCEPTION OF ANY CLEARING NEEDED FOR THE INSTALLATION OF DRAIN FIELDS AND DRIVEWAYS WHICH SHALL BE LIMITED TO A MAXIMUM OF FIFTEEN (15) FEET BEYOND THE EDGE OF THE DRAIN FIELD SITE OR DRIVEWAY.
  - H.S. TEJAS, LTD. SHALL PROVIDE ALL PURCHASERS OF THE PROPERTY WITH A COPY OF THE "NOTICE TO ALL POTENTIAL PURCHASERS" PRIOR TO CLOSING.
  - ALL LOTS SHALL HAVE APPROVED DRAIN FIELD LOCATIONS PRIOR TO APPROVAL OF FINAL SUBDIVISION PLAT.

**GAY AND NEEL, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING  
 1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011 Fax: (540) 381-2773  
 Email: info@gayandneel.com

Plat of  
**Major Subdivision of A**  
**Portion of Tax Parcel 33-(A)-6**  
 Prepared For  
**H.S. Tejas, LTD.**  
 along Reese Mountain Road  
 Shenandoah Magisterial District, Montgomery County, Virginia

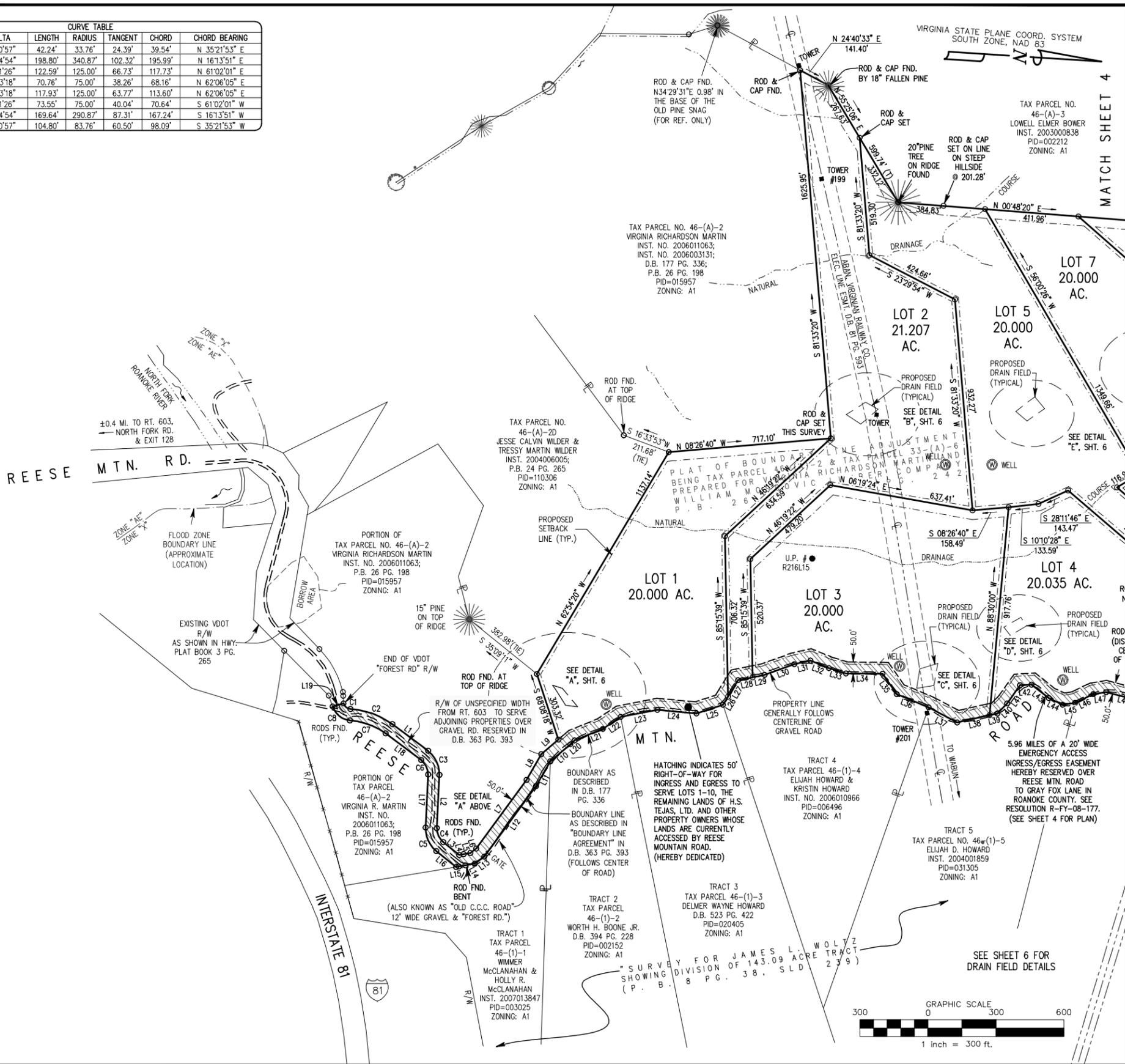
REVISED:

DESIGNED/CALC.: KJD  
 CHECKED:  
 DRAWN: KJD  
 SCALE: AS SHOWN  
 DATE: 10/02/08

JOB NO. 1703.1

SHEET 2 OF 6

CURVE TABLE						
CURVE	DELTA	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING
C1	71°40'57"	42.24'	33.76'	24.39'	39.54'	N 35°21'53" E
C2	33°24'54"	198.80'	340.87'	102.32'	195.99'	N 16°13'51" E
C3	56°11'26"	122.59'	125.00'	66.73'	117.73'	N 61°02'01" E
C4	54°03'18"	70.76'	75.00'	38.26'	68.16'	N 62°06'05" E
C5	54°03'18"	117.93'	125.00'	63.77'	113.60'	N 62°06'05" E
C6	56°11'26"	73.55'	75.00'	40.04'	70.64'	S 61°02'01" W
C7	33°24'54"	169.64'	290.87'	87.31'	167.24'	S 16°13'51" W
C8	71°40'57"	104.80'	83.76'	60.50'	98.09'	S 35°21'53" W



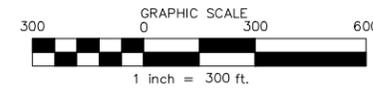
**GAY AND NEEL, INC.**  
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**Plat of**  
**Major Subdivision of A**  
**Portion of Tax Parcel 33-(A)-6**  
**Prepared For**  
**H.S. Tejas, LTD.**  
 along Reese Mountain Road  
 Shenandoah Magisterial District, Montgomery County, Virginia

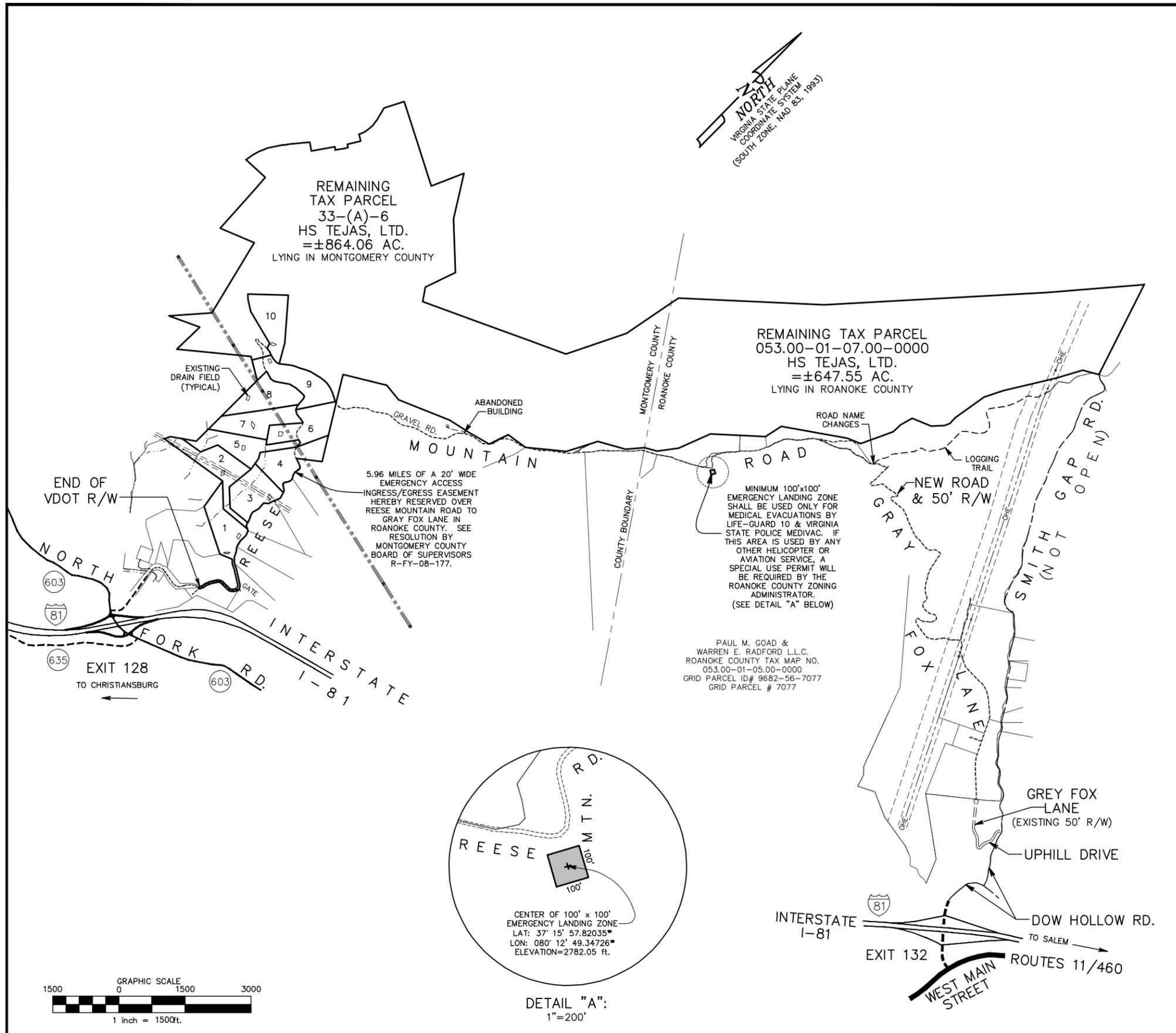
REVISED:

DESIGNED/CALC.: KJD  
 CHECKED: KJD  
 DRAWN: KJD  
 SCALE: AS SHOWN  
 DATE: 10/02/08

JOB NO. 1703.1  
 SHEET 3 OF 6

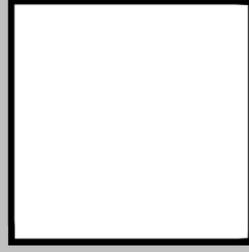






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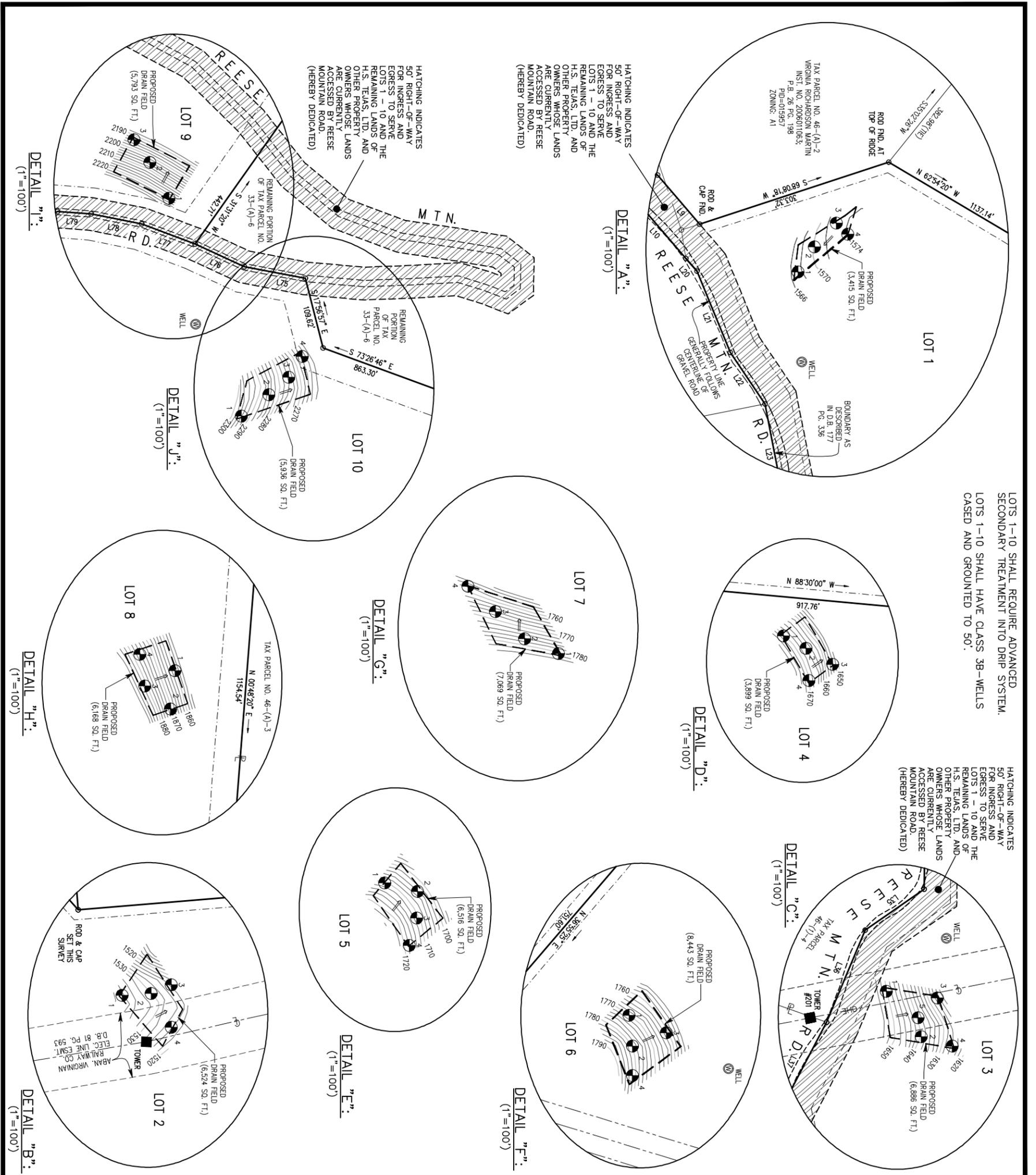
Plat of  
**Major Subdivision of  
A Portion of  
Tax Parcel 33-(A)-6  
Prepared For  
H.S. Tejas, LTD.  
along Reese Mountain Road**  
Shenandoah Magisterial District, Montgomery County, Virginia



REVISED:

DESIGNED/CALC.: KJD  
CHECKED: KJD  
DRAWN: KJD  
SCALE: 1"=1500'  
DATE: 10/02/08

JOB NO. 1703.1  
SHEET 5 OF 6



LOTS 1-10 SHALL REQUIRE ADVANCED SECONDARY TREATMENT INTO DRIP SYSTEM. LOTS 1-10 SHALL HAVE CLASS 3B-WELLS CASED AND GROUTED TO 50'.

HATCHING INDICATES 50' RIGHT-OF-WAY FOR INGRESS AND EGRESS TO SERVE LOTS 1 - 10 AND THE REMAINING LANDS OF H.S. TEJAS, LTD. AND OTHER PROPERTY OWNERS WHOSE LANDS ARE CURRENTLY ACCESSED BY REESE MOUNTAIN ROAD (HEREBY DEDICATED)

**Plat of Major Subdivision of A Portion of Tax Parcel 33-(A)-6 Prepared For H.S. Tejas, LTD. along Reese Mountain Road**  
 Shawsville Magisterial District Montgomery County, Virginia

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DESIGNED/CALC.: KJD	CHECKED: KJD	DATE: 10/02/08
SCALE: AS SHOWN	JOB NO. 1703.1	REVISIONS:
DATE: 10/02/08	SHEET 6 OF 6	