

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON AUGUST 12, 2015 IN BOARD ROOM, COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

**I. CALL TO ORDER:**

Mr. Miller, Chair, called the meeting to order.

**II. DETERMINATION OF A QUORUM:**

Ms. Disney established the presence of a quorum.

Present:            Bob Miller, Chair  
                     Scott Kroll, Vice-Chair  
                     Cindy W. Disney, Secretary  
                     Steve Howard, Member  
                     Coy Allen, Member  
                     Trey Wolz, Member  
                     Sonia Hirt, Member  
                     Bryan Katz, Member  
                     Chris Tuck, Board of Supervisors Liaison  
                     Emily Gibson, Planning Director  
                     Break Hopkins, Development Planner  
                     Dari Jenkins, Planning and Zoning Administrator  
                     Candace Ross, Sr. Program Assistant

Absent:            Bryan Rice, Member

**III. APPROVAL OF AGENDA:**

Mr. Allen stated that a correction needed to be made showing he was present for the July 15<sup>th</sup> meeting.

Mrs. Gibson requested to add Agriculture and Associated Uses under Old Business.

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

**IV. APPROVAL OF CONSENT AGENDA:**

On a motion by Ms. Disney, and seconded by Mr. Howard, and unanimously carried, the consent agenda was approved.

**V. PUBLIC HEARING:**

Ms. Jenkins updated the Planning Commission on the current status of the eight telecommunication towers that were supposed to go to public hearing this evening. She

stated that the applicant will be making modifications to the plans that were originally submitted. Due to the modifications, state law requires staff to advertise the applications again. Ms. Jenkins said if anyone is present to speak they may. She also said the attorney representing NTELOS is present to speak to the Commission and give insight and answer any questions.

Max Wiegard, attorney for Gentry Locke and representing NTELOS, explained the upgrades needed to support the development and usage for 4G LTE network. He said the upgrades will require more antennas, radio heads and more space than are allowed through the existing SUP. Mr. Wiegard indicated that additional time was needed to file supplemental materials to show what the upgrades will actually look like.

Mr. Katz asked if the 4G LTE network will benefit customers beyond NTELOS.

Mr. Wiegard stated that customers outside of the NTELOS network will benefit from the proposed upgrades.

Mr. Howard asked if NTELOS have merged with Shentel.

Mr. Wiegard answered that he is aware of a merger and will have more information at a later date.

Mr. Kroll asked what the resubmission will consist of.

Mr. Wiegard said that it will consist of more description in the size of the towers, antennas and dishes.

Mr. Kroll said he would like to see the maximum height of the equipment that will be placed on each tower or the tallest part of the structure on the plans.

Mr. Wiegard said the height of the tower will not increase, but there are two towers that will request the right to have two microwave dishes installed. He stated all the details will be explained in the supplemental material.

Mr. Miller asked if anyone from the audience would like to speak that were present to in reference to the telecommunication towers.

Suzanne Derooy, who lives at 4162 Pandapas Pond Road, is adjacent to the location of one of the towers. She opposes the upgrades and would like to see the tower taken out completely. Mrs. Derooy also expressed her concerns about noise and health hazards.

Casper Derooy, also lives at 4162 Pandapas Pond Road, wanted to make the board aware of an instance where there was work being done on the tower during the night with no notification to nearby residents. Mr. and Mrs. Derooy also wanted to state that they will not be able to attend the September hearing.

Mr. Katz commented that it might be helpful to know if the upgrades are consistent with other towers that have 4G LTE technology.

There being no further speakers, Mr. Miller closed the public hearing.

## **VI. PUBLIC ADDRESS:**

Mr. Miller opened the public address.

There being no comments the public address was closed.

## **VII. OLD BUSINESS:**

### **a. Ordinance Amendment- Public Use, public facility as a permitted use in all districts**

Mrs. Gibson explained text that was provided outlines the details requested from the Commission at the previous meeting. In addition, staff has updated the text to reflect the use as by-right in non-residential districts and by SUP in residential districts. Mrs. Gibson stated the Board of Supervisors tabled the public hearing on the amendment to allow the Planning Commission further discussion.

Mr. Kroll said the matrix that was provided was helpful and agrees with staff's recommendations.

Mr. Howard expressed his support for the recommendations.

Mr. Wolz commented that this would cast a net over everything that was not specific.

Mr. Katz stated his concerns about large scale projects.

Mr. Miller commented that some projects would be difficult to screen, for example, lights from football games.

Ms. Jenkins said there is a light restriction in the ordinance.

Mrs. Gibson reminded the Commission that this only applies to Montgomery County facilities.

Mr. Katz suggested adding A-1 districts to require a SUP.

A motion was made by Mr. Katz, seconded by Mr. Wolz to approve the purposed ordinance amendment with a revision allowing public use and public facility by SUP in A-1 districts. Motion failed by a 4-4 vote (Rice absent).

Ayes: Howard, Disney, Wolz, Katz

Nayes: Miller, Kroll, Hirt, Allen

Abstain:

Being a tie, the motion was defeated. After a brief discussion, the Commission moved forward with another motion.

A motion was made by Mr. Katz, seconded by Mr. Howard to approve the proposed ordinance amendment as recommended by staff. Motion carried by a 8-0 vote (Rice absent).

Ayes: Miller, Kroll, Hirt, Allen, Howard, Disney, Wolz, Katz

Nayes:

Abstain:

#### **b. Update and Discussion on State Code Language Related to Agriculture and Associated Uses**

Mrs. Gibson went over sections of the state code related to agriculture, agritourism, and on-farm activities. She said the state says no locality can regulate these *unless* there is a substantial impact. Mrs. Gibson stated she would like for the Commission to consider what should be substantial. She would also like to bring forward language to be presented to the Board to have a more clear direction related to agriculture activities in the County. Mrs. Gibson gave examples of what other localities consider substantial.

Mr. Miller said those lines have been blurred, with small activities turning into large activities. He also stated it should be considered the toll these functions take on the land.

Mr. Kroll asked if someone is operating a legitimate farm, will they be allowed to host an activity, such as a mud bog.

Mrs. Gibson referred to the definition and commented that the Commission needs to decide if that type of function would be considered substantial or not.

Mr. Kroll stated that the Commission needs to be mindful of what the General Assembly's intentions were, but also do not want it to be taken advantage of.

Mrs. Gibson said that the Commission will be provided a packet with more information at a future meeting.

Mr. Katz asked to see examples of scenarios to go along with text.

#### **VIII. NEW BUSINESS:**

#### **IX. LIAISON REPORTS:**

Board of Supervisors: Mr. Tuck stated an RFP went out regarding Blacksburg Middle School and High School, as is, with no zoning changes. He said that there was discussion about developing an ordinance to maintain abandoned property. Mr. Tuck also said in the last meeting, upset citizens on Old Sourwood Road spoke of the poor conditions of the road. He explained a dirt glue test was done on the road that did not work. They are currently working with VDOT to find a solution

Blacksburg Planning Commission: No Report

Christiansburg Planning Commission: Ms. Disney attended the August 3rd meeting. Discussion was about the new establishment around the mall that will be three-story luxury apartments. She said they also discussed the possible need of a new traffic light or round about.

Economic Development Committee: No Report

Public Service Authority: Mr. Howard stated at the last meeting there was discussion of a water pipe that broke in the Elliston area. There was also discussion of changing the pump station in the Riner area and the budget.

Parks & Recreation: No Report

Radford Planning Commission: No Report

School Board: Mr. Katz said the major topic discussed was student attendance and using positive ways to encourage students not to miss school.

Tourism Council: Mr. Katz said the meeting promoted the new 'Go to Town' slogan with logos to advertise and encourage tourism in the towns. They provided examples of tear off maps, focusing on lodging and restaurants in the area.

Planning Director's Report: Mrs. Gibson followed up on Mr. Tuck's report on the abandoned property maintenance ordinance and that it would only apply to platted subdivisions and in residential districts. Mrs. Gibson also reported that the lot frontage reduction amendment was approved by the Board of Supervisors. She said next month's meeting will be a public hearing for the rezoning of the old Elliston Lafayette Elementary school property and asked the Commission if they wanted to have a site visit at next week's meeting. The Commission decided no site visit will be needed since the conditions had not changed since the last site visit. Mrs. Gibson informed the PC that staff may look at changing language within the Comprehensive Plan for our village areas based on the changes in transportation funding proposed by the State.

## **X. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:43 pm.

---

Chairman

---

Secretary