

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON AUGUST 13, 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
 William Seitz, Secretary
 Frank Lau, Member
 Steve Howard, Member
 Walt Haynes, Vice Chair
 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

Absent: Steve Cochran, Member

PUBLIC ADDRESS:

None

APPROVAL OF AGENDA:

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

APPROVAL OF CONSENT AGENDA:

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

PUBLIC HEARING:

A request by Sandra Gail Jordan, (Agent: Cellere for CST) for a Special Use Permit on approximately 29.5 acres in an Agriculture (A-1) zoning district to allow a 199' telecommunication tower. The property is located east of Alleghany Spring Road, accessed by a private driveway located at 477 Alleghany Spring Road, and is identified as Tax Parcel No(s). 083- A 27D, 27 (Acct No. 026123), in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

Mr. Miller introduced the request.

Ms. Jenkins stated the applicant was requesting a 199' telecommunication tower. She reviewed the maps, photos, and the approximate location of the proposed tower. The tower would provide cellular service to the residents in the Shawsville area. Photo simulations using results of a balloon test have been provided to show the appearance of the tower if constructed. Propagation maps showing the level

of service that would be provided if the tower is approved have been submitted. The application is inconsistent with the comprehensive plan because of the proposed ridgeline location and lack of demonstration of possible collocation opportunities on other structures.

Mr. Miller opened the public hearing .

Ms. Kate Flippin, representing Cellere, stated the applicant has reviewed the proposed conditions and are acceptable with a couple of exceptions. The diameter needs to be flexible to allow the ability to include all cables, wires, etc. within the tower. She reviewed the application submitted. Four (4) collocation opportunities will be available. If the tower is approved at a reduced height the number of collocation opportunities could be reduced. Topography of the area proved to be challenging because it requires the tower to be at a higher elevation. There were no collocation opportunities available for AT&T. Other alternatives were not considered due to sensitivity of the ridgeline. Two (2) letters had been submitted with concerns. One concern was related to health issues; however, it has been determined that cannot be considered by the locality when making their decision. Due to the number of other carriers in the area collocation opportunities are important.

Mr. Miller asked if the location of slave cemetery had been determined.

Ms. Jenkins stated everyone is aware of the cemetery; however, the exact location is not known.

Mr. Larsen, AT&T, stated the company would conduct environmental testing and will make recommendations regarding the cemetery based on the findings.

Mr. Seitz asked if there was flexibility to move the proposed tower site.

Mr. Larsen stated if the environmental agency suggests relocation, the tower can be moved elsewhere on the property.

There being no further comments the public hearing was closed.

Mr. Moore asked if there were other collocation opportunities in the area.

Mr. Sandy stated that staff is not aware of any other possible locations.

Mr. Moore stated that reducing the structure height does not reduce visibility.

Mr. Sandy stated that the elevation plus the height of the proposed tower should provide ample collocation opportunities. Emergency services has indicated an interested in collocating. In regards to the slave cemetery a condition could be added to fence off the slave cemetery at least during construction to prevent accidental disturbance of the area.

Mr. Seitz stated it would be appropriate to locate and permanently fence the grave sites.

Mr. Sandy stated the main concern is traffic entering and leaving site. There is not a great deal of concern regarding the lease area since it will be determined.

Mr. Miller stated he could not support a diameter of 40" at the top of the tower; however, a 30" diameter would be more reasonable.

Ms. Jordan, property owner, stated the cemetery has been plotted at the corner of property. There are depressions, but no headstones. The proposed tower site is at least 100 feet from the cemetery.

On motion by Mr. Wells, seconded by Mr. Lau and carried by a 8-0 vote (Cochran absent) the Planning Commission recommended approval of the request by Sandra Gail Jordan, (Agent: Cellere for CST) for

a Special Use Permit on approximately 29.5 acres in an Agriculture (A-1) zoning district to allow a telecommunication tower with the following conditions:

1. Tower shall not exceed a total overall height of 165 feet inclusive of the proposed lightning rod with a ground elevation of 1,545 feet. Tower shall not have lighting unless required by the FAA. Tower shall have a base diameter not to exceed 60 inches and a top diameter of 30 inches.
2. Site development shall be in substantial conformance with the plans entitled, "AT&T VA-00-200A Alleghany, + 477 Alleghany Springs Road", prepared by Wilcox Professional Services, dated June 3, 2008 and received by Montgomery County on June 24, 2008.
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) 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 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.
9. Temporary fencing of the "Slave Cemeteries" identified on the property shall be installed and inspected by the Zoning Administrator prior to initiation of construction of the tower, and shall remain in place until construction is complete and site plan requirements are approved by the Zoning Administrator.

A request by Gordon and Nancy Johnson to add approximately 84.34 acres to existing Agricultural & Forestal District 2. The property is located on Catawba Road (3400 block) and is identified as Tax Parcel No. 20-A-6 (Acct No. 009762) in the Mt. Tabor Magisterial District (District A). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

Mr. Miller introduced request.

Mr. Sandy stated the applicant was requesting to add an 84 acre parcel to the AFD-2 (Catawba Road) district. He reviewed the maps and location of the property. The AFD advisory committee met on July 2, 2008 and held a site visit. The members that were present had no objections to adding the property to the AFD district. The absent members were notified and all but two replied stating they approved the request.

Mr. Miller opened the public hearing; however, there being no speakers the public hearing was closed.

On a motion by Mr. Moore, seconded by Mr. Howard and unanimously carried the Planning Commission found that the applicant demonstrated good and reasonable cause for the addition of 84.34 acres to AFD District – 2 and recommended approval of the request.

WORKSESSION:

On a motion by Mr. Howard, seconded by Mr. Rice the Planning Commission entered into work session.

Implementing the Village Plans- Diane Zahm

Mr. Sandy stated Ms. Zahm was present to further discuss the report handed out at the July 2008 meeting.

Ms. Zahm stated approximately 90 students had been working on the village plans throughout the previous years. This project was not initiated by the county. She reviewed the goals of the project and the process used to provide the final report. Students determined that there is not enough land within the village to accommodate the proposed growth. They further determined that the existing ordinances and policies do not support the comprehensive plan goals. There appears to be a contradiction in the goals of the villages and providing areas for growth. She discussed options and possible solutions for meeting the goals and implementing the village plans.

Mr. Miller thanked Dr. Zahm and her students for the work that had been performed.

On a motion by Mr. Howard, seconded by Mr. Rice and unanimously carried the Planning Commission closed the work session.

OLD BUSINESS:

Phillips Major Subdivision- Final Plat Approval

Mr. Sandy stated a revised plat showing the extension of Cold Mountain Subdivision had been distributed. The plat was reviewed previously and approved with conditions. The health department has not completed their review; however, there is only one meeting this month. Staff is suggesting since the other conditions have been met that an approval be given contingent upon favorable health department approval being received. The subdivision agent and the Planning Commission Chair would sign the plat and the Board of Supervisors will not be given the plat for review until health department approval is received.

Mr. Clements, Gay & Neel, stated the plat was submitted to the health department two separate times. They have indicated a site visit is necessary to verify the soils work prepared by the soil scientist. A different type of treatment system may be required for a couple of the lots.

On a motion by Mr. Wells, seconded by Mr. Rice unanimously carried the Planning Commission approved the Phillips Major Subdivision Plat contingent upon receipt of health department approval.

NEW BUSINESS:

Radio Knob Subdivision- Preliminary Plat Approval

Mr. Sandy stated the proposed Radio Knob Subdivision is located off Clay Street at the intersection with Cherry Lane. It was rezoned to Residential (R-2) in April 1993 with three (3) proffered conditions. This subdivision consists of nine (9) lots served by public water and sewer provided by the Town of Blacksburg. Preliminary approval is recommended with 7 conditions.

On a motion by Mr. Howard , seconded by Mr. Rice and unanimously carried the Planning Commission approved the preliminary plat for Radio Knob Subdivision subject to the following conditions.

1. The Virginia Department of Transportation (VDOT) shall review and approve the entrance(s) onto Cherry Lane and any associated drainage plans.
2. The Town of Blacksburg shall review and approve all public water and sewer construction plans including the provisions for fire protection described in Montgomery County Subdivision Ordinance.
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 Attorney shall review and approve the private covenants and deed restrictions and storm water maintenance facilities.
6. The County GIS Analyst shall approve new street name(s) and addresses.
7. All remaining items on the attached Subdivision Application Report dated August 6, 2008 shall be addressed.

Cloverlea Phase II- Preliminary Plat Approval

Mr. Sandy reviewed the location of the property. The property was rezoned to Residential (R1) in 2003 with 6 proffered conditions. Phase I is near build out and the developer is seeking approval for Phase II. Development would have public water and sewer provided by the Public Service Authority. Preliminary approval is recommended with 7 conditions.

On a motion by Mr. Haynes , seconded by Mr. Rice and unanimously carried the Planning Commission approved the Preliminary Plat for Cloverlea Subdivision Phase II subject to the following six (6) conditions:

1. The Virginia Department of Transportation (VDOT) shall review and approve the proposed streets and any associated drainage plans.
2. The Montgomery County PSA shall review and approve all public water and sewer 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.
4. The County Attorney shall review and approve the private covenants and deed restrictions and storm water maintenance facilities.
5. The County GIS Analyst shall approve new street name(s) and addresses.
6. All remaining items on the attached Subdivision Application Report dated August 6, 2008 shall be addressed.

LIAISON REPORTS:

Board of Supervisors

No report

Agriculture & Forestal District

No report

Blacksburg Planning Commission

No report

Christiansburg Planning Commission

No report

Economic Development Committee

No report

Public Service Authority

Mr. Wells reported that the PSA discussed the Lancer Truck Stop water and sewer service. The 36" pipe under the road may be able to hold the proposed water line.

Parks & Recreation

No report

Radford Planning Commission

No report

School Board

No report

Transportation Safety Committee

No report

Planning Director's Report

Mr. Sandy stated the Alderman request was approved Monday with an additional condition regarding a buffer of weeping willow trees. The Phillips cell tower was approved as recommended.

The Planning Commission meeting for August 20th has been cancelled.

CPEAV training will be held in October in Williamsburg. Please notify Brea if you would like to attend. The deadline to register is Sept. 30th; however, due to limited room availability it is necessary to make reservations as soon as possible.

There being no further business, the meeting was adjourned.