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Hanover County Board of Supervisors Meeting, Wednesday, September 24, 2025

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[00:11:09] Time is now six o'clock I will call the September 24th Hanover County Board of

[00:11:55] Supervisors meeting to order as is customary we will begin with an invitation led by mr. Hudson followed by the Pledge of Allegiance led by Supervisor Floyd mr. Hudson thank you mr. chair would you join me in prayer Almighty God we gather here today to conduct the business of the community we love, Hanover County. We ask for your divine wisdom to guide us as leaders and officials as we deliberate on matters before us this evening. Grant us insight to understand the needs of all citizens

[00:12:29] and the discernment to make decisions that serve the common good and promote a better life for our community as a whole. Always help us to act with kindness, integrity, and fairness. Guide us in everything we do within these four walls and throughout our daily lives. We thank you so much for all that you've done for us. In Christ's name we pray. Amen.

[00:12:54] I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:13:15] Thank you, Mr. Hudson. Thank you, Mrs. Floyd. Next on the agenda, consideration of amendments to the agenda, Mr. Davis.

[00:13:31] Mr. Chairman, I move that the Board of Supervisors add a closed session under the following authority, Virginia code subsection 2.2 37 11 a 3 for disposition of public property Zero six five two seven nine seven second. There is a motion and a second. All in favor, please indicate by saying aye The agenda has been amended and the other amendments from board members seeing none. We will move on to comment period

[00:14:06] I will begin by recognizing our Fire Chief. Chief Anderson is with us this evening. Thank you for being with us, sir. Today's a great day, a very important day for the history of Hanover County as we cut the ribbon on our section of the new Fall Line Trail.

[00:14:30] The Fall Line Trail will run from the town of Ashland eventually down to the city of Petersburg, and that will connect seven localities. this project is about more than building just a trail it's also about building connections connections between communities between neighbors between people who want safe and scenic spaces to be outdoors it's a great way for our residents and our visitors to enjoy things like walking

[00:15:09] running and biking this trail is the result of a lot of good hard work and collaboration between Hanover County also the town of Ashland and Ricoh County and other regional partners. I would like to also express sincere thanks and appreciation for everyone here who worked on this project from county administration to parks and recs. Also today appreciation for Mayor Trevette of the town of Ashland for his attendance and his comments as well as our VDOT partners, our partners from the

[00:15:49] central virginia transportation authority and also from sports backers and that concludes my comments for today mr hudson thank you mr chair i just wanted to say thank you to everyone that came out to the mechanicsville district town hall we did have a couple folks from the henry district and the cold harbor district join us as well and thank you to my colleague miss dibble made it all the way down from the beautiful south anna district to uh come down there and and hang out and listen to the concerns of our shared constituency and uh always thankful for mr todd kilduff deputy

[00:16:26] county administrator for coming out and being the uh official note taker of record um and we just had to spend a good hour together and talking about things that were important to those folks that came out and i'm just very grateful for for that attendance so that's all for me thank you, sir. Thank you for your comments, sir. Any other comments from board members? Supervisor Dibble. Thank you, Mr. Chair. Just wanted to remind everyone that this Saturday is the Montpelier Heritage Day. We haven't done this Heritage Day in this century, but we used to do it. It used to

[00:17:05] be a really big thing up in the Montpelier area. It's being put on this year by the Montpelier Center up there for Arts and Education, which is a non-profit that those of us in the community support. Start the day off at 10 a.m. with a parade. That parade will basically run from the fire station at Bethany Church up and in through the Montpelier Village and then ending at the Montpelier Center. And after that, we've got a fabulously fun area for the kids. We've got

[00:17:39] bands throughout the day. We have food trucks. We have vendors. We have historical demonstrations. And we've got a little bit of everything for everybody. So it lasts from 10 a.m. when the parade starts until about 4 p.m. in the afternoon Saturday.

[00:17:57] We'd love for you to come and bring your little people with us and come and see what's happening out there in the wild, wild west. Thank you, sir. Thank you for your comments. Supervisor Pritchard. I'll make this very brief. Again, thanks to everyone who came out to the center of the universe today to kick off the Hanover portion of the trail.

[00:18:18] But I also want to remind people that sometimes everything new is old The Ashland part of that trail and most of the Hanover part of the trail runs on the historic electric train line That connected Ashland to the city of Richmond until 1938 and there was a running active train all that time ago Thank you for your comments. Mr. Sturman. Thank you, mr. Chair I'd like to follow up to my comments from last last month

[00:18:50] About the broadband rollout and specifically bright speed, Supervisor Dibble and I have been extremely frustrated with the level of service that they provided for our citizens in western Hanover for a long time.

[00:19:05] And we've worked tirelessly to try to resolve some of the issues that have come up, and the efforts that they've made are just not acceptable at all. So we've had some Zoom calls with the Community and Housing Development Authority down at the state legislature to try to get some resolution on the issues that we're experiencing.

[00:19:31] And that got us nowhere, so we escalated to the SCC. We filed a complaint letter. And then once again, we had a Zoom call with the folks down there, the communications division. And once again, we did not get enough response.

[00:19:47] to to our concerns and so we have formally filed an FCC complaint which we're hoping will have a little bit more results for our citizens and we just want to let everybody know that we understand we are frustrated we live out there we have to deal with it each and every day and we hear your concerns and we're working hard to try and resolve the issues and we're just hoping we've also engaged all of our legislatures. We've worked with our House of Delegates, representatives, state senators, and even our congressmen to try, we've reached out to them to try to get some resolutions. So

[00:20:23] we're exercising all the authority that we have to bring better service to our citizens. But our hope is, is that as they continue to roll out the fiber, that the service will get better. And once again, we'll be able to have reliable service in our Western Hanover. So anyway, I just wanted just let everybody know that we are working hard for you and and we're just hoping that uh to get a resolution out of this and that the fcc can give us some relief so anyway thank you thank you for your comments any other comments from board members seeing none mr bedesky thank you mr chair and and

[00:21:01] i wanted to thank uh mr stoneman for his last comments i'm going to pick up there uh mr stoneman and miss dibble have been very active in advocacy for issues with bright speed and i hope we get some results for the residents that are struggling with that service on a positive note our work with all points is progressing we have folks beginning to be connected on the western side of hanover but moving forward on the eastern side of hanover at this time a good deal of the major infrastructure is in they're working about a third of the project's private roads and so they're working

[00:21:37] with private subdivisions and we've always talked about the 95 percent was part of our initial project the other five percent was what we considered unserved we have been notified and we're awaiting federal approval but that there is funding now going to be made available for the other five percent of our

residents who weren't in the initial projects or determined as as in need and assuming we get the the federal approvals hopefully in short order those residents will get service as well so we're going to continue to stay on that mr hersberg as well as ms dibble and mr stoneman have been very active with us and but also all board members have been advocating

[00:22:13] for this project. We're quite hopeful that at the end of the day, residents who had zero options will have multiple, and individuals that only had one option will have choice. And so a couple years, it's finally a reality, but between the public partnership, private partnership, and state funding, things are moving forward. It's certainly not at the pace we all would prefer, but we are seeing some progress there. I did want to welcome, we have a number of folks, and if you don't mind me just having you raise your hand or stand from our this year's Engaged Citizens Hanover

[00:22:51] Citizens Academy if you don't mind just want to recognize you with us here tonight thank you for taking your time and joining this program it is a it is a commitment to join us but we look forward to working with you and learning from you so thank you for being here tonight and look forward to the weeks to come. Mr. Chair you mentioned the fall line trail ribbon cutting we're proud that That is the first leg of the Fall Line Trail, and the Hanover Lake is complete.

[00:23:18] Mile markers are up. It's a five-mile down and back, so if you start in the town of Ashland, you can go down to Woodman Road in Henrico and come back, and so you can start with your coffee and end with your lunch in the center of universe. It's a beautiful trail. If folks are familiar with the Capitol Trail, it's similar in nature.

[00:23:36] In the weeks to come, there will be additional markers and signage being added to the trail, And we'll be working with partners and sports backers for additional efforts on that trail to come. But it is now officially open. We sort of joked at the ribbon cutting.

[00:23:53] Folks have been on the trail for weeks. It's now just officially open. And it is in our systems in case anyone would have a terrible accident on the trail or firing a mess, staying ready to know where to go. But we think everybody's going to be safe. Wanted to let everybody know that early voting is well underway.

[00:24:12] On our campus, it's located in the Wickham building at 7497 Complex Road. Hours are 8.30 through 4.30, Monday through Friday. Additional dates of Saturday, October 25th, and November 1st from 9 to 5. Also, curbside voting is available during those times.

[00:24:30] And the absentee drop box is also available through November 4th at 7 p.m. Last week, the board spent two quality days in a board workshop working through a number of items that gave staff quite a bit of homework assignments that we look forward to following up.

[00:24:48] It was an engaging opportunity to spend with our board, our economic development authority, utility providers to learn from their perspectives, and so appreciate the board's time and commitment to that process as well. And it should be noted, the fall line trail that we just dedicated, less than 24 hours after it was officially dedicated, will be receiving the infrastructure project of the year from sports backers tomorrow night for the fall intro and so we're excited for that recognition um and there's a lot of great

[00:25:22] positive things going on but i i have to share as i end my comments tonight some sad news one of our active employees suddenly passed this week tiffany dowdy one of our 911 operators tiffany had been with us over two decades um this was a shock to all of us here uh if anyone knew tiffany she was she

trained many of the folks that are answering 911 calls for us today and we are better for her service and her time with us at the county she was a talented professional but even more so

[00:26:01] just a great person she would make you laugh she was as smart as they come and was such an asset to us and and passed suddenly so i just want to send our thoughts and prayers to tiffany's family and and our team uh as they they work through this tragedy and i'm sorry to end on that but i think it's of note that we recognize her service and importance to our organization mr chair thank you thank you for your comments mr bedesky next on the agenda is citizens time i do have one card

[00:26:38] Is there anyone else here who wishes to address the board at citizen's time? Please raise your hand. Seeing none, Mr. Nelson. You know the rules for citizen's time, Mr. Nelson. You have up to five minutes.

[00:26:55] Good evening, Chairman, Herzberg, and Board Supervisors. My name is Bob Nelson. I reside in the Ashland District. At your recent workshop, economic development referenced small groups of citizens who focus on the negative impacts of development.

[00:27:15] Are broken promises of a landfill operator to a black community a small matter? How about issues with residential density, cash proffers, the absence of phasing, and the exclusion of approved developments in traffic impact studies? Are violations of county ordinances and board-approved plans minor negative impacts? Many citizens take planning seriously, do their homework, and present detailed factual legal and policy positions in zoning cases. It's an insult

[00:27:50] to suggest that small groups of citizens have minor concerns. In fact, economic development should be far more concerned with developer credibility. The best example is TRACT. In March 2024, TRACT told the board that the county would collect \$25.7 million in data center tax revenues beginning in 2028. Where are we today, 18 months later? The county has to construct \$34 million in road, water, and sewer infrastructure for TRACT. No community meetings have been held on

[00:28:29] reconstruction of Hickory Hill Road, and construction won't begin until late 2027. The timeline for water and sewer improvements is unknown. Completion of county infrastructure for TRACT is anyone's guess. Last month, TRACT did file its first construction plan, an internal loop Road. VDOT raised significant issues which must be addressed before it would review the plan.

[00:29:01] No applications have been filed for track substations, transmission line upgrades, or data centers. Dominion provided no track-specific information at the workshop. Electric capacity and energy, reliability, cost, and rate impacts remain major issues.

[00:29:22] At the workshop, Rappahannock Electric Co-op stated that transformers and circuit breakers of a three to four year lead time. And Dominion mentioned three to five years for a data center substation. A TRACS substation will not be operational until 19, 2029 at the earliest.

[00:29:44] 25.7 million in data center tax revenues beginning in 2028 was a centerpiece of TRACS presentation to the board. And I might add it took over, it took a minute and 40 seconds to do that one slide.

[00:29:59] Based on the workshop, however, I've concluded the county will receive no data center tax revenues from TRAC in 2028. To quote Charlie Kirk, prove me wrong. And the way to do that is to provide the date when the first TRAC data center will go into service.

[00:30:22] So please, provide the ribbon-cutting date for the first TRAC center. I might attend if I'm still alive. Thank you for your comments, sir. Is there anyone else who would like to address the board during citizens time seeing none citizens time is now closed Next on the agenda is the consent agenda. Mr. Davis. Thank you. Mr. Chairman. Mr. Chairman, I'd like to make note to The minutes prior to a motion for the consent agenda board members have at their place a

[00:31:02] minor technical change to the minutes Two supervisors names and their districts were transposed and so that's been corrected Hearing nothing on that I move to approve the consent agenda with the technical change to the minutes second There is a motion and a second any discussion all in favor of approving the consent agenda, please indicate by saying aye Consent agenda has been approved Next on the agenda is a public hearing ordinance 25 - 13 inspection reports fire protection systems

[00:31:36] Mr. Chip Hartle, Assistant Chief Hanover Fire and EMS. Thank you very much for being with us, gentlemen. Mr. Chair, member of the boards, good evening and thank you for the opportunity. I'm Assistant Chief Carl Hartle and I serve as your Fire Marshal. I want to take the opportunity to speak on Ordinance 2513, which is a proposal for the adoption of online submission process for Fire Protection System reports.

[00:32:02] We are proposing the adoption of an ordinance that will allow us to require online submission of fire protection inspection reports this would be through a cloud-based web-based system in which vendors would provide the reports that in turn will provide us with real-time data as it pertains to the status of the fire protection systems within the businesses within Hanover County the advantage in this is it provides a seamless submission tracking and review of these inspection reports currently we're receiving these reports in many different formats and not necessarily in a timely fashion so there are times

[00:32:39] where we find these deficiencies with the fire protection systems not until we do the annual fire inspection which could lead to a significant time frame where those systems remain deficient and put those businesses at risk and this also allows us to show more transparency in the process and allows us to ensure compliance with the necessary codes and standards additional benefits or an automated system will allow us a more rapid follow-up and issue resolution of these problems a consistent manner in which our office receives these reports and one specific piece that we feel will allow us to enhance the safety of the

[00:33:17] community is less administrative time for our staff so that they can focus on the actual process of inspecting businesses in Hanover County for fire safety the dashboard will also provide us a more streamlined manner in which we can review these and early identification as I mentioned the process is rather simple and this is just a kind of a picture that shows you how it would proceed we would receive that report the vendor that we select would review that report provide us information and that information also would go to the business owner at the time that the report submitted so that we're both receiving

[00:33:54] that and the system would be updated as new information is added rather than relying on us to receive additional reports later on and having to go in and update our systems and it allows for us to do a again a more rapid follow-up and ensure that these issues are addressed in a timely fashion I do know there probably some questions one item I would like to highlight is the fire protection systems that are in

businesses now greatly reduce the risk of fire damage by more than 90% when there is an incident and have shown to save billions of dollars across the country when there are fires so we do

[00:34:31] put a very high value on ensuring that these systems are in a safe manner. As a point we want to recognize there are other regional partners, for example the City of Richmond, but additionally the City of Charlottesville, Waynesboro, and the County of Arlington are also adopting or have adopted similar programs.

[00:34:50] We know with some other regional partners they're also currently looking at attempting to work through this process to adopt a program. There is a cost so to be very transparent with you there is a cost related to the submission that cost is vendor funded so the individuals that would go out and do the inspections would be required to submit to the vendor a fee to submit that report electronically and we recognize there is a potential that that's going to be passed on to the business owners that fee is nominal the average is right around twenty dollars and in many many cases these fees are already part of service fees with the process and we are seeing businesses in

[00:35:29] Hanover County that are already probably having to pay this particularly if they already have to submit reports to the state fire marshal's office as a state fire marshal is using a system if there's a deficiency as we highlighted it will get immediate notification once that report submitted and allow us to to quickly remediate this and submissions would be required mandatory through this adoption of this ordinance we recognize that that's not going to happen overnight there will be some marketing and communications with the local vendors that we know do business in Hanover County giving them time to adapt to this

[00:36:07] process it would be our recommendation for motion to adopt and I will open it up to any questions that you may have pertaining to this thank you for your presentation sir any questions or comments from board members seeing none thank you thank you sir this is on the agenda for a public hearing we will now open the public hearing is there anyone here who wishes to speak in support or opposition of this ordinance amendment saying none the public hearing is now

[00:36:42] closed mr. Davis thank you mr. chairman mr. chairman this came to the public safety committee chief Hartle thank you for the comprehensive presentation both at the committee and here this evening it is not a rare occasion where I get positive feedback and I'm sure other board members are the same way as it relates to the fire marshal's office that's a tough job it's a tough job as matter of fact our current chief was a fire marshal for for many many years but the feedback I've gotten from a lot of business owners is they do want an automated process it takes a lot of time to to go back and forth with paper moving back and forth communicating with the with the fire marshal's office and

[00:37:22] so a number of folks have asked for this y'all have worked very very quickly to get our role in place and get it implemented and I know there's gonna be a period there as a transition over. But for the citizens who are watching this or in attendance today, the state mandates as it relates to fire code, we're responsible statutorily for making sure that those state mandates are made. And simplifying this process, using technology to respond to the business owners who wanted this is crucial. So thank you all for working so very quickly with the business community to get this done and provide this service.

[00:38:00] With that, Mr. Chairman, I move for approval of Ordinance 25-13. Second. There is a motion and a second. Any discussion amongst board members? Seeing none, all in favor of approving Ordinance 25-13, please indicate by saying aye.

[00:38:17] Aye. Ordinance is approved. Next on the agenda is another public hearing, Ordinance 25-14. Terms of Office of Members of the Board of Zoning Appeals, Mr. Dennis Walter, County Attorney. Thank you for being with us, sir.

[00:38:47] partially the result of internal audit. They have conducted a review of some county administration policies, and they determined some inconsistencies between the county code and the state code with respect to appointment of BZA members.

[00:39:03] That inconsistency is in the county code, but it is not in what the board's practice has been. State code does provide for the creation of BZAs, Boards of Zoning Appeals, in any locality, like Hanover, that has enacted a zoning ordinance. We've had a zoning ordinance since the late 1950s.

[00:39:21] That enabling authority in state code provides that there can either be five or seven members of the BZA. We have seven. Provides that the terms are to be five years. And they're appointed by the circuit court after the court receives a recommendation from the local governing body.

[00:39:37] If you've been on the board for a while, you have seen multiple instances of where recommendations have gone to the circuit court. And I can say during my time here, the circuit court has always appointed the individual who is recommended. The inconsistency has come up because Hanover County Code section 2-22 provides that the term of office is four years instead of five.

[00:40:03] It also contains a provision that I think is more confusing rather than inconsistent or in conflict, and that is that the BZA shall have a member from each district. While that has been historically the practice, the circuit court actually is the one entity who does the appointing, and so that language sort of implies that individuals could not be appointed unless there is one from each district.

[00:40:26] So that is more of a technical issue rather than a substantive one. Ordinance 2514 would conform the provisions of Section 2-22 of the county code to state code provision. It would make that four years, which we have in our county code, match the five years that is in state code.

[00:40:44] And as has been distributed and as part of the packet, it provides that it would indicate that, to the extent practicable, the board would recommend individuals to serve on the BZA so that there's a member from each district. The ordinance does not modify any terms of office for BZA members who's eligible to be on the BZA or does not change the number of alternate members that's presented.

[00:41:08] It certainly doesn't change the composition of the current BZA. It really is more of a clarification. as the board knows this is an ordinance that can only be adopted after a public hearing I would say that after the board packet went out I had a suggestion I ate some helpful clarification suggestions from this devil I'm happy to go through them if she would like to explain them I'm happy to explain them and if she wants to make some comments as to what it is I'll go ahead So there are two proposed clarifications that she has suggested, one of which is, as I mentioned,

[00:41:48] the current ordinance draft says to the extent practicable, the board will recommend individuals. She has suggested that we remove that lawyerly sounding phrase and basically just say that the board shall recommend individuals to serve on the BZA so that there's one member.

[00:42:03] That is sort of guidance and direction for the board and that that extra language was really not very helpful. The second proposed change was to reflect the practice while state code allows up to three members The board has never had more than a single Alternate member I've double-checked with

planning to make sure that is the case And so the suggestion is to change that section so that it reflects our Historic and current practice that rather than having up to three that we have one alternate member And so those two amendments are are on the floor for discussion

[00:42:39] I wanted to make sure that those were out there before the public hearing, but I think that it provides greater clarification and reflects what we're doing, but certainly I'll invite Ms. Dibble to weigh in on that. Supervisor Dibble. Thank you. My thinking here is that most of our committees, all of our committees, should have representation from the entire county, and I felt it was important that we retain the language that there will be one representative from every district. So I was proposing that we strike the, to the extent

[00:43:18] possible, so that there's no misunderstanding, and that so that we ensure that all of our constituencies are represented. And then we've never appointed more than one. We've never appointed more than one alternate on all of our committees. So that, again, keeps us consistent with their practice and why not just change it clean it up and make it what we really believe it should be otherwise when you have this to the extent possible on selecting members from each

[00:43:52] of the seven districts it could be a board in the future surely not this board but a board in the future where four people want to control the board and want to appoint people that they want to And so that means that not everybody across the county is represented So that's my rationale for this and I apologize for it being last-minute, but I didn't read it till yesterday And mr. Walter and I just didn't get it together mr. Chairman with that if the board is inclined to Accept those amendments after the public hearing the revised recommended motion is on the screen to adopt the ordinance with the amendments that have been proposed

[00:44:32] But otherwise I have nothing further, but I'm happy to answer any questions understood sir any questions or comments from board members for mr. Walter any comments for mr. or questions from mr. Walter on those proposed amendments on the screen okay so we'll be prepared to take that up after the public hearing sir thank you for your presentation this is on the agenda for a public hearing is there anyone here who wishes to speak in support or opposition of ordinance 25

[00:45:05] - 14 seeing none the public hearing is now closed mr. Davis thank you mr. chairman mr. chairman I move to adopt ordinance 25 14 with the amendments proposed this evening second there is a motion and a second any discussion amongst board members seeing none all in favor of approval of ordinance 25 - 14 please indicate by saying aye aye ordinance is approved

[00:45:39] thank you mr walter okay mr pompey next on the agenda agenda item eight planning public hearings mr andrew pompey deputy director planning department thank you for being with us thank you mr chairman the first public hearing that involves a zoning case is a request for a special exception in the ashland district this is a request to allow silence that exceeds ordinance requirements bon secours ashland emergency center is currently under construction at the intersection of Lewistown Road and North Lake Ridge Parkway just west of the Lewistown Road Interstate 95 interchange. The applicant is requesting to install more signs on the same

[00:46:18] road fringe than what's permitted and larger signs than what are permitted by Wright. And I'll show you some examples of what those signs would look like if approved. This area is designated destination commerce on the general lane use plan, which is part of our comprehensive plan. It's an area intended for a mix of businesses in close proximity to an interstate interchange.

[00:46:39] The property itself is split zone B3 and M2. The signs will be located on the portion of the property that's zone B3, and that's where the emergency center is being constructed. Many of the properties surrounding the Interstate 95-Lewistown Road interchange are zoned for commercial or industrial use.

[00:46:56] Here's an aerial view of the site. Construction is currently happening, but it gives you an idea of the proximity of the site to the interstate interchange. And also one unique factor is that this site has three road frontages, frontage on Lewistown Road, frontage on North Lake Ridge Parkway, and then Sunshade Lane. This is a sketch plan that shows the building, the parking areas, and where the signage that we'll be discussing tonight will be located. Sign A is located on Sunshade Lane. That sign is larger and taller than permitted by Wright. Sign B is located on North Lake Ridge Parkway at the entrance

[00:47:30] to the building from that roadway. It is larger and taller than permitted. And then sign C is located adjacent to the signalized intersection at Lake Ridge Parkway and Lewistown Road. The ordinance only allows one sign per road frontage. That would be a second sign on Lake Ridge Parkway. So that requires a special exception. One thing that's unique as well is that the sign ordinance establishes area and height requirements for signage based on how many lanes the road has. So roads with properties with frontage on four or more lanes of a highway have

[00:48:05] larger sign requirements than a road such as Sunshade that's two lanes or less. So there's varying size requirements depending on where the signage is located on the site. Sign A, that's the one on Sunshade Lane, the entrance to the site from that particular roadway. That sign is larger than permitted. The max size is 30 square feet and they're requesting 42 square feet. The max height permitted by the zoning ordinance is six feet and that sign that's proposed is seven and a half feet so it's slightly larger and taller than permitted. Sign B that'll be the site entrance from North

[00:48:40] Lake Ridge Parkway. The maximum size permitted by the code is 50 square feet. They're proposing just over 142 square feet so it's significantly larger in terms of area but in terms of height the max permitted is eight feet and they're requesting eight and a half feet in height so it's slightly taller than what is permitted by right, but significantly larger in terms of area. Sign C, that will be oriented towards the signalized intersection at Lewistown Road and Lake Ridge Parkway. That is a second sign on Lake Ridge Parkway. It meets the size requirements, but it's an additional sign above and beyond what's permitted. That'll be a monument sign with a

[00:49:18] brick base and some landscaping. The staff is recommending three conditions to address the appearance and the location of these signs. The first condition is that the signs must be located outside of the site distance triangles at the individual intersections and the applicants demonstrated that that condition can be met. Condition number two regards landscaping and having that low growing shrubbery in front of sign C, which is the larger sign oriented towards the signalized intersection. One of the first signs that you'll see as you come off the interstate into the Lake Ridge area. And then the third condition is the standard condition with all of

[00:49:54] our special exceptions that the sign will adhere to all development requirements. These are the draft motions and this concludes staff's presentation i'd be happy to answer any questions the board may have at this time any questions from board members from mr pompey seeing none thank you sir and i'd like to note the applicant is here the representative is here tonight but they don't have a formal

presentation planned thank you very much okay this is on the agenda for a public hearing we will now open the public hearing does the applicant wish to make a

[00:50:31] statement sir okay is there anyone here who wishes to speak in support of the application is there anyone here who wishes to speak in opposition of the application seeing none the public hearing is now closed Ashland district supervisor Pritchard thank you mr. chair in general when I object to sight X to sign exceptions and I often do it's because they create visual clutter they

[00:51:05] become a sort of if you will visual litter in the in the places that they are but that's just not the case here across the street from the ER is is a shopping center where there are lights that are on all night long behind them is an industrial area there's no one to be disturbed bond secours has been a very good partner in building this and I think it's important because it is actually an emergency room that people can find it so with that I move to

[00:51:38] approve se 2025 - 0 0 0 1 8 with conditions as presented second there is a motion and a second any discussion amongst board members seeing none all in favor of the application please indicate by saying aye special exception is approved mr. Pompey the next planning related public hearing is a request in the Henry District three-zone property located at the intersection of U.S. Route 360, Mechanicsville

[00:52:14] Turnpike, and West Haven Drive to allow the construction of a veterinary clinic. This is where the property is located within our suburban service area, which is the area designated for growth. Again, it's located at the intersection of West Haven Drive and Mechanicsville Turnpike.

[00:52:31] This is an area that's designated highway commercial on the comprehensive plan as well as suburban neighborhood residential. It's the end of a commercial node surrounding the entrance to Pebble Creek and Battlefield Green. The property is currently zoned B1. It's been zoned B1 since 1992. However, the applicant is requesting to amend the proffers associated with that original rezoning to allow the veterinary clinic, and I'll go into more details about that. You can see the properties at the entrance to Battlefield Green are zoned commercially B1 and B2. You have the Battlefield Green and Pebble Creek subdivisions to the east, which have residential zoning,

[00:53:11] and many of the properties on West Haven Drive are zoned A1 agricultural. So there are a mix of zoning districts in this area. As I mentioned, the property was rezoned in 1992 to allow office use within the B1 zoning district. There were several proffered conditions accepted with that rezoning. Some of the conditions that the applicant needs to amend to allow the veterinary clinic is the size limitation. With the original zoning, structures were limited to 3,000 square feet in area, and the applicant's proposing a building just over 6,000 square feet. Also, certain uses were prohibited, including veterinary clinics, so that prohibition in that proffer will need to be

[00:53:49] amended as well. As I mentioned, the applicant is proposing to construct a veterinary clinic that's just over 6,000 square feet in size, and that's what's necessitating this proffer amendment or zoning amendment. Right now, in accordance with the current zoning approved in 1992, there is an art gallery on the property. That building will remain and the new building for the vet clinic will be constructed adjacent to it. This is the existing conditions on the property with the existing structure of that art gallery in blue and you can see the driveway coming off of Mechanicsville Turnpike and looping around to West Haven Drive. This is the proffer conceptual

[00:54:27] plan that was submitted by the applicant. The existing art gallery still is in the blue and the purple is that proposed veterinary clinic 6,300 square feet in size approximately. The new access and the only access will be from West Haven Drive and parking will be in front of the building, in front of the two buildings coming off that entrance. Taking a closer look at the transportation network and access, there will be one entrance from West Haven Drive, the existing entrance per the proffer conditions from Mechanicsville Turnpike will be removed in accordance

[00:55:03] with VDOT recommendations for an access management exception the applicant has proffered a right turn lane from Mechanicsville Turnpike heading westbound onto West Haven Drive and then accessing the site from West Haven Drive there'll be a right turn taper so a brand new right turn lane for West Haven Drive and then a turn lane a taper sorry accessing the new vet clinic in its parking area. In terms of landscaping, the applicant has proffered landscaping that will enhance the aesthetics of the site. A 25-foot thoroughfare buffer will be provided per ordinance, but the applicant has proffered additional landscaping and tree preservation that exceeds ordinance

[00:55:41] requirements. Parking lot landscaping and the applicant has also proffered screening along the western boundary where the site abuts existing residential on West Haven Drive. These are the proffered elevations that the applicant has submitted. It's a mix of horizontal and vertical siding, stone facade, as well as different architectural features that help create a more residential feel for the building and reflect some of the recommendations in the comprehensive plan.

[00:56:09] We talked about transportation, some of the improvements, but here's another look at them. The use will generate 270 vehicles per day. That's below the county threshold for a traffic study. However, the applicant does have to obtain an access management exception. Based on VDOT comments, that exception will only be approved based on the proposed location from West Haven Drive, the construction of a right turn lane on westbound Mechanicsville Turnpike, and the construction of a right turn taper on West Haven Drive. The applicant has committed to those improvements through the proffered conditions. The applicant has also proffered closing the

[00:56:47] existing access from Mechanicsville Turnpike and requiring that all construction access West Haven Drive. That's intended to minimize impacts to Mechanicsville Turnpike in this area. As I mentioned, this site is on the edge of two different land use designations, Highway Commercial and Suburban Neighborhood Residential. You have Highway Commercial extending east in front of Battlefield Green along Mechanicsville Turnpike and then transitioning to Residential along West Haven Drive. And you also have a mix of uses in that area. The proposed use generally aligns with the recommendations for Highway Commercial. It's a business-oriented use serving the surrounding

[00:57:23] community. There's buffering from both adjacent properties as well as from major thoroughfares with the landscape buffer that's been proffered and shown in the conceptual plan. And then high quality building materials and design are used on the building. There was a community meeting held earlier this summer. There was questions and concerns about access from McCansville Turnpike, barking dogs, and animal boarding. The applicant has addressed the access with the proffered conditions and no dogs will be kept outside and boarding is not anticipated. In total, the applicant has agreed to 15 proffered conditions. These replace the existing conditions and are entirely

[00:58:00] new from what was approved in 1992. No drive-thru banks will be allowed. The applicant must adhere to the conceptual plan and building elevations. Hours of operation are limited at 6 a.m to 9 p.m

throughout the week. Construction traffic must access West Haven Drive. They're dedicating right away from Mechanicsville or along Mechanicsville Turnpike. The existing access from Mechanicsville Turnpike must be closed prior to a certificate of occupancy. They're co-offering those transportation improvements that I mentioned, the right turn lane from westbound Mechanicsville Turnpike and the right turn taper into the site from West Haven Drive, an enhanced thoroughfare buffer with

[00:58:36] landscaping that exceeds ordinance requirements, as well as tree preservation, parking lot screening along the boundary of the site where it abuts existing residential, the screening of mechanical equipment, all signs must be monument signs, exterior lighting is limited to 20 feet max, and the site must connect to public utilities.

[00:58:55] The Planning Commission reviewed this request at its meeting last month and recommended approval with a vote of 7-0. No members of the public spoke. That concludes staff's presentation. The applicant is here tonight, but they do not have a formal presentation planned.

[00:59:11] Thank you for your presentation, sir. Any questions or comments from Mr. Pompei from board members? Mr. Stoneman. So looking at this, this is a drawing I would like to look at. It's going to be an animal clinic, And so I'm assuming they're going to have surgeries and dogs will need to stay over the night.

[00:59:32] And I'm just wondering if they have any made-up arrangements to walk any dogs outside. They may have to stay for treatment and all that. The applicant might be better able to answer that question. State your name, sir. Dr. Andrew McDougall, Riverbound Veterinary Clinic.

[00:59:51] Currently where we're operating, we do surgery. Nothing stays overnight, and we will not have anything stay overnight. I'm not questioning it. I was just making sure that you have planned for all contingencies. Yeah, no? Okay. Nothing overnight. I'm telling you, I do business.

[01:00:07] Thanks. I appreciate it. Any other questions from board members? Thank you, sir. This is on the agenda for a public hearing. We'll now open the public hearing.

[01:00:22] I understand the applicant is present. Do you wish to make a statement? Okay. Anyone here who wishes to speak in support of the application? Is there anyone here who wishes to speak in opposition of the application?

[01:00:40] see one please come forward so please state your name the district in which you live or the entity that you represent and you will have up to five minutes my name is Angela L Jones I live on West Haven Drive in the Henry district we

[01:01:19] were blindsided by this information about what's going to happen here we did And I received any of this information that's on the board prior to. We received a letter saying there's going to be a hearing. That's it. There was a developer that tried to develop 27 homes across the street directly from my house.

[01:01:40] And we received all this information in advance. I notified the neighborhood because since they're not adjacent, I walked all the way down the neighborhood quite a few times informing them of what was possibly going to happen. Had I received this information this time, our whole neighborhood would be in here right now.

[01:01:59] because that's how we show up we love our neighborhood this is going to impact us especially coming west haven drive it's not an easy task force to get on its mechanics return pike as it is now and with this extra incoming traffic coming onto our street that's not going to be good for us at all more cars like i said the gas station that they built we wish that wasn't there because already has several accidents right there as well this is a residential neighborhood and we like to keep it that way we don't want all this extra traffic coming to our neighborhood because we know people are going to go right on past that driveway and come on down our street.

[01:02:38] We're going to have the looky-lookies looking at everything out there. We love our neighborhood because it's very safe over there. We don't want a business to come in there. And then, to me, if this business could develop, it might open up a can of worms for the business, open it up on 6,200 mechanics with a turnpike in the house, the lot that's next to it.

[01:02:59] It's supposed to be residential. There's a sign out there saying that's residential commercial, but I was told it's residential. We would like it, keep it residential. There's only one way in and out on that street, and that's West Haven Drive. They can't go through. So to have a business right there is not a good thing for us at all.

[01:03:18] And like I said, the main thing that really got to me, I just received this information from my neighbor around 3 o'clock today that she received this morning. So I said, we weren't even notified of this at all. Trust me, we would have been here with the whole block in this building right now.

[01:03:34] And it's not fair to us to have a business like this coming out in residential neighborhood so we are definitely in opposition of this right here there was going to be the other developer it was going to have one entrance going into that new subdivision lined up with my driveway that was going to be the only street into that we fought that they're not there they're not building anything the land is still there and we like to keep it that way less no matter what come to build oops a few houses but not 27

[01:04:08] and we definitely don't want a business on our street but like i said again this is this this wasn't fair to us we were not informed of this happening at all i think that's it ma'am can you hand dr brown that letter please yes ma'am thank you for bringing that with you we'll give it back to you thank you yeah it'll come right back to you thank you doctor so speaking for the neighborhood trust me um everybody really thanked me because i made like five copies of different

[01:04:48] information as i received it and i even had a boot on my foot and that street is more than a mile long and I walked it to everybody's mailbox so they can be informed. And if I had this, I would have done the same thing again. I would have walked a little bit better though because I had to boot. But we believe in our street. We love our neighborhood and we want to keep it that way.

[01:05:08] It's nice and quiet. Everybody knows everybody. And we like to keep it that way. When somebody strange comes to the street, we all peeping. We looking like that because we protect our neighborhood. We love our neighborhood. And sometimes we leave the garage doors open.

[01:05:24] We might have credits in there, but we don't have strangers in there, so and we'd like to like for it to stay that way That's it. Thank you Thank you for your comments, ma'am. Is there anyone here who wishes to speak in opposition of the application seeing no one else?

[01:05:47] Mr. Applicant, would you like to make a statement in rebuttal to? The opposition or to address their concerns nothing else to add, okay? We're still in the public hearing and Mr. Pompei I have a

question could you please approach the podium? This one make sure I understand correctly What is the current zoning of the existing property? It's curling zone B1 with conditions

[01:06:18] Okay, so that so the parcel is zoned business. That's that right. Okay, and so the is it we're here because of the conditions Is that correct? That's correct. Okay. I understand now any other questions or comments from Mr Pompey seeing none. Thank you, sir. One last chance for anyone else to speak and support our opposition Saying none the public hearing is now closed. This is in the Henry district. Mr. Davis. Thank you, mr. Chairman First of all, thank you for coming out ma'am

[01:06:54] I do have your your paper here your notification and thank you. I just want to check the date on that So let me address the 24 houses across the road. You're right. I'm not quite sure it's exactly as presented but it was stopped uh we had a number of meetings with that developer uh it was a it was a bad plan i came to the community meetings and all uh and you're right that was a bad plan uh however was consistent with the zoning uh at least to be applied for but uh you're 100 correct that was a bad plan and spoke to a lot of the citizens out there that uh that i've known for many years

[01:07:30] conversely on on this property uh this property's not in the neighborhood it is it is on the road that leads into where your house is. But it is Zone B-1, and if we go back, and I'm going to ask Mr. Pompey to do that, that's one of the reasons in talking to the folks.

[01:07:50] Mr. Martin, who sits on the Planning Commission, actually lives down West Haven Drive, so I know he talked to a lot of the folks down there. I know nobody wants change. I definitely get that. But some of the things that you're going to see, Andrew, have you gotten to those conditions yet, sir? But will you, please?

[01:08:12] Working with the AFSC, there were a number of different opportunities for things to be built there that we were concerned with having greater impact, some of which could have been done by right. So working with the applicant to do this, that's where these 15 conditions came from, was to mitigate some of that impact and maybe have something in there that would not be as negatively impactful to this piece of property as some of the buy-write access. And look, I get it. Folks say, look, I don't want

[01:08:46] anything to change on the property near my house. Understood, received, and actually I can appreciate that. However, on 360, the business corridor, and with the current zoning, if we have an opportunity to increase some of the property conditions, which we have here, and thank you for working with the applicant, I think that if you say no and something comes in the next day, and this happens all the times folks say well I don't want that either my job is to find the best fit with an applicant we don't go out and look for the applicant they notified us but I do want to address the square

[01:09:22] footage while the applicants here thank you for doing that because the square footage was an issue but then when I realized you were going up instead of out and a lot of that square footage was going to be up I don't know how you do surgeries without animals staying overnight but you have committed to doing that and that's that's fine thank you for the downward directional lights we talked a lot about that but at the end of the day a business especially one that's going to use modern building materials that we're going to get the right term with the taper on 360 the taper on west haven

[01:09:55] mitigate those traffic impacts for a low impact business low but not no right i know most folks wanted to just to just stay there as it relates to the notice the only issue that i have with that It is I don't I don't counter your statements at all But I have spoken to a lot of folks out there. So I don't know how How

your notice how that I don't know what took place there. I see the date on it But it's not up to me to decide when when you got this But I do see the date was prior to this and there were some other meetings that were held Mr. Martin talked to me about those and then of course we had the Planning Commission

[01:10:32] So I'm not I'm not sure I can't speak to that but with that Looking at what's the best land use, property owner's rights, mitigating impacts, dedicating right away, looking at construction traffic, which was a big deal.

[01:10:47] It's not something that you had to do, but making sure all of that comes in directly to your site. The screening, the monument signs, we've got all that, thank you. And the exterior lighting was rather erroneous. And I'll be honest with you, we were able to do this because you were asking for a change in a veterinary clinic.

[01:11:06] So once you open that door, then I got to walk through as well. So far more burdensome on you than it would have been if you'd done by right. But I believe that of the applications that we have, again, not initiated by the board that came through, this is going to be a use that while I know not everybody's going to like, I don't think I have a legitimate reason not to approve it.

[01:11:30] And I hear your concerns, and I respect those. So, with that, I am going to move for approval of RAZ 2025-00006, Waghaven, LLC. I'll make the second on that. There is a question from Supervisor Dibble. And I'm just wondering, Mr. Davis, would it make it a stronger case and better for the neighborhood if there was a proffer added that there would be no boarding or overnight stays?

[01:11:58] Would that help the case if that's really something that's going to happen? I think it would give the neighbors some sort of comfort in that they're not going to be dogs out there barking at night. Sure, sure. If the applicant's willing to do that, say that.

[01:12:15] So, parliamentary procedure. Mr. Chairman, I am going to withdraw my motion and ask that we recess. Mr. Walter, there he is. Mr. Walter, get Mr. Pompey and the applicant, draft that up, make sure it's part of this, and then we can come back, and I'll still move for approval if you're willing to proffer that.

[01:12:34] board will take a ten-minute recess time is 7:09 the board is back in session

[01:21:35] chair recognizes mr. Davis mr. chairman not not to delete your authority but I believe miss Pritchard had a question about operations on on animals and what would happen if an animal thank you mr. Davis and mr. chair I asked the applicant what what happens if an animal is not ready to go at the end of the business day they haven't come out of anesthesia or or for any reason they're not ready to leave they are transported to an animal ER and short pump oh okay thank you thank you and mr. so I did have an

[01:22:11] opportunity I had four total constituents here three others expressed a desire while they obviously had some questions about traffic in 360 they were we're happy with the proffers and recognized by right activities compared to this and did did express uh some support for this it was a question about school buses and we talked about where the lanes were uh so i'm grateful for those and that doesn't diminish uh my constituent who who does not want it there i understand um that she doesn't and i appreciate her coming out and taking her time uh tonight but with that again having the opportunity to have this additional

[01:22:49] proper and all the others i now move for approval of raz 2025-00006 second is there any discussion amongst board members seeing none we will now call for the vote the vote will be to approve

rez 2025 with the new language proffer number four is shown on the screen hours of operation hours of operation are limited to 6 a.m to 9 p.m monday through sunday no animal boarding or

[01:23:24] overnight pet stays will occur all in favor please indicate by saying aye aye application is approved thank you okay next on the agenda is the amended agenda item for the closed session chair recognizes mr davis mr chairman i move that the board of supervisors uh move this meeting into closed session under the following authority that's virginia code subsection 2.23711 a3 for the

[01:23:53] the disposition of public property held under g pin 7 8 8 0 65 27 97 second there is a motion and a second all in favor of entering into closed session please indicate by saying aye aye the

[01:24:12] board is in closed session yes time is 7 42 the chair recognizes mr davis mr chairman i move that

[01:25:10] the board of supervisors certify that during the closed session only public business matters Lawfully exempted from the open meeting requirements of the Freedom of Information Act and only such public business matters as were identified in a closed motion Were discussed there is a motion in a second all in favor of the motion. Please indicate by saying aye The board is now back in open session chair recognizes Supervisor Pritchard. Thank you. Mr. Chair I mean that the Board of Supervisors Authorized the county administrator and county attorney to take all steps necessary

[01:25:46] To execute an amendment to the contract with Wilton Acquisition LLC for the parcel with g pin 7 8 8 0 - 6 5 - 2 7 9 7 regarding the relocation and timing of certain improvements subject to the conditions discussed in the closed session second There is a motion and a second any discussion seeing none all in favor the motion please indicate by saying aye motion is approved next on the agenda's announcements and the announcements from board members mr. County

[01:26:25] administrator seeing no announcements adjournment 2:00 p.m. October 8th 2025 for a regular Board of Supervisors meeting to be held right here in the county boardroom County Complex Road we are adjourned



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