

At a special called meeting of the Charlotte County Board of Supervisors held in the Administration Building of said county on September 24, 2019 at 7:00 p.m.

Present: Garland H. Hamlett, Jr. Chairman
Gary D. Walker
Kay M. Pierantoni
Crystal S. Shepherd
Donna Fore
Royal S. Freeman

Absent: Robert L. Shook, Jr. Vice Chairman

Chairman Hamlett called the meeting to order.

Royal S. Freeman gave the invocation.

After due notice was given, the Charlotte County Board of Supervisors and the Charlotte County Planning Commission held a joint public hearing to receive comments regarding a proposed amendment to the Charlotte County Zoning Ordinance, a Conditional Use Permit application for Stephen Kanagy for a commercial firewood processing operation and a Conditional Use Permit application for a commercial satellite dish on property owned by Evelyn Queen and to be installed by ViaSat.

Chairman Hamlett for the Board of Supervisors and Deborah Haskins, Chairman for the Planning Commission called all three hearings to order.

Monica Elder, staff representative for the Planning Commission addressed the Board with the following information of the proposed amendment.

This amendment would add commercial firewood processing of off-site timber as a conditional use in the General Agricultural District and as a by-right use in the General Industrial District and would establish regulations for commercial firewood processing in line with the existing regulations for sawmills.

Public Comment:

Patricia Seibert requested to address the Board but declined at the time of the Public Comment.

Being no further comments, the Public Comment Period was closed.

Deborah Haskins, Chairman for the Planning Commission proceeded with the next public hearing to receive public comment on a Conditional Use Permit Application for Stephen Kanagy for a Commercial Firewood Processing Operation.

Monica Elder, staff representative for the Planning Commission addressed the Board with the following information on the Conditional Use Permit Application.

Owners: Stephen & Lydia Kanagy

Tax map: 25-A-76

Address: 4615 Woodfork Road, Charlotte Court House, Virginia

Proposed Use: Commercial firewood processing to include the delivery of timber to the site, unloading, machine cutting into firewood, curing, wrapping into bundles, and palletizing for a distributor.

Acreage: 76.28 Acres

Current Use: Farm with Single Family Dwelling

Structures on the Parcel: Single family dwelling, dairy barns, shelter, sheds, and silo

Adjacent landowners: 12 adjacent parcels

Adjacent Parcels Include: Three parcels with a single-family dwelling, one parcel with 5 single family dwellings, one parcel with a shop, two vacant substandard lots, and five larger land tracts (two of which have barns on them)

<u>PARCEL</u>	<u>LANDOWNER</u>	<u>SIZE/CURRENT USE</u>
25-A-64	Matthew Jr., James & Walter East	63 Acres / Timberland
25-A-64B	Kevin, Bernard Jr., Gregory, & Eric Jones and Others	36.1 Acres / Timberland
25-A-73	Patricia Seibert	10 Acres / Single Family Dwelling & Outbuildings
25-A-74	United States of America c/o Eugene Morris	43.5 Acres / Timberland, Open land & Barn
25-A-75	Moses & Ada Stoltzfus	66.67 Acres / Timberland, Open land & Barn
25-A-76A	Jeannette Seale	3.35 Acres Single Family Dwelling & Shed
25-A-78	Michael Elder Inc.	25.1 Acres / 5 Mobile Homes
25-A-79	Michael Elder Inc.	1.8 Acres / Vacant
25-A-86A	Estate of Jessie Yuille	2 Acres / Vacant
25-A-90	Michael Elder Inc.	128.4 Acres / Timberland & Open land
25-A-91C	Samuel Brown	5 Acres /Single Family Dwelling
25-A-98	Thomas & Joann Carmen	46.24 Acres / Shop

Setbacks: The proposed site meets the 300' setback requirements being recommended for commercial firewood processing facilities. The location is approximately 1300' from Woodfork Road, 715' from the eastern property line, 630' from the western property line, and 700' from the rear property line.

Access: VDOT approved the existing driveway for a low volume commercial entrance on September 6, 2019.

Comprehensive Plan Future Land Use Map Designation:
Agricultural, Forestry & Rural Uses

Conditions Proposed by Staff:

1. The applicant shall adhere to all federal, state, and local laws, regulations, ordinances and permit requirements for the construction and operation of the proposed facility.
2. The facility shall be constructed and operated in substantial compliance with the application provided and the approved site plan.
3. The owner is responsible for ensuring that operations comply with Section 10-11-7.3 of the Charlotte County Zoning Ordinance which limits hours of operation to 6:00 a.m. to 9:00 p.m. on weekdays and 9:00 a.m. to 9:00 p.m. on weekends.
4. The owner is responsible for ensuring that operations comply with Section 10-11-7.4 of the Charlotte County Zoning Ordinance which states, "No sawdust, slabs or shavings shall be deposited any closer than 200 feet of any public road and sawdust or wood chip piles shall not exceed 25 feet in height."
5. The County Administrator, Building Official, Zoning Administrator, or any other parties designated by those County officials, shall be allowed to enter the property to check for compliance with the provisions of this permit, with reasonable advanced notice and subject to the security, health and safety standards and regulations that apply to the project site.

6. In accordance with the laws of the state of Virginia, the land owner will obtain a building permit for all proposed structures before construction and will obtain all required building inspections.
7. Any infraction of the above-mentioned conditions may lead to a stop order and revocation of the Conditional Use Permit, if it be the wishes of the Charlotte County Board of Supervisors.

Public Comment:

Patricia Seibert addressed the Board with some concerns over approval of the Conditional Use Permit for Mr. Kanagy. Ms. Seibert's main concerns were the increase of traffic on Woodfork Road along with the speed of the commercial vehicles. Ms. Seibert is also concerned with the noise and request there be a boundary of some kind separating the operation from other property owners.

Being no further comments, the Public Comment period was closed.

Deborah Haskins, Chairman for the Planning Commission proceeded with the next public hearing to receive public comment on a Conditional Use Permit Application for a commercial satellite dish on property owned by Evelyn Queen and to be installed by ViaSat.

Monica Elder, staff representative for the Planning Commission addressed the Board with the following information on the Conditional Use Permit Application.

General Information

Application Date: July 8, 2019

Property Owner: Evelyn Queen

Applicant: Viasat

Agent/Representative: Drew Patterson, Network Building & Consulting

Tax map: 40-A-35

Zoning District: General Agricultural

Location/Address: 4077 George Washington Hwy., Keysville

Parcel Acreage: 2

Lot Size for Proposed Use: Leasing 700 square feet (20' X 35' Area)

Other Structures on the Parcel: Single family dwelling & sheds

Proposed Use: Commercial 8' tall satellite dish (6' in diameter) to be used as part of Viasat's satellite internet network, located inside a 300 square ft. fenced compound

Setbacks: The proposed site meets the setback requirements for accessory structures in the Agricultural Zoning District. The location is approximately 350' from the front property boundary at George Washington Hwy, 80'+ from the eastern property line, 220' from the western property line, and 32' from the rear property line.

Ingress/Egress: The applicant proposes a 20' access/utility easement that would extend the existing driveway for the property to the compound site.

Fencing: 8' tall chain link fencing

Screening: No screening is proposed. However, existing trees on the eastern property boundary and the home and sheds will screen much of the view.

Total Adjacent Parcels: 4

Adjacent Parcel Information

<u>PARCEL</u>	<u>LANDOWNER</u>	<u>SIZE/CURRENT USE</u>
40-A-34	Gary Shaver or Mary Margaret Cash	29.9 Acres / Single Family Dwelling, Shed, Timber & Open land
40-A-34B	Steven Dunn	.8 Acre / Single Family Dwelling
40-A-36	Ed & Janet Early	1 Acre / Single Family Dwelling

40-A-45	David & Frances Quarrier	151.8 Acres / 2 Single Family Dwellings, outbuildings, timberland, & open land
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Comprehensive Plan Future Land Use Map Designation:
Agricultural, Forestry & Rural Uses

Conditions Proposed by Staff:

1. The applicant shall adhere to all federal, state, and local laws, regulations, ordinances and permit requirements for the construction and operation of the proposed facility.
2. The facility shall be constructed and operated in substantial compliance with the application provided and the approved site plan.
3. The County Administrator, Building Official, Zoning Administrator, or any other parties designated by those County officials, shall be allowed to enter the property to check for compliance with the provisions of this permit, with reasonable advanced notice and subject to the security, health and safety standards and regulations that apply to the project site.
4. Any infraction of the above-mentioned conditions may lead to a stop order and revocation of the Conditional Use Permit, if it be the wishes of the Charlotte County Board of Supervisors.

Drew Patterson with Network Building addressed the Board with a Power Point Presentation on the proposed project.

ViaSat is a California based firm with over 30 years of experience, 26 offices and 4,500 plus employees. ViaSat provides satellite internet to consumers, businesses, governments and militaries around the world. ViaSat is currently developing VS-3 satellite with associated ground stations to:

Provide service to rural customers without access to traditional wireless

Deliver a 100+Megabit per second (MBPS) residential internet service

Support aircraft with hundreds of MBPS of in-flight connectivity services and video streaming

Provide up to 1-Gigabit per second (GBPS) for maritime use

Offer affordable satellite wi-fi connectivity to billions of unconnected people in emerging markets

The project will have no adverse effect on surrounding properties for the following reasons:

Dish is only 8' tall

Approximately 350' from George Washington Hwy where it will have no visibility

Approximately 90' from the closest (eastern) property line where it will have little to no visibility due to an existing mature evergreen tree line

No trees will be removed as part of this project

Dish will only be serviced 4-5 times per year by technicians

Chairman Haskins for the Planning Commission and Chairman Hamlett for the Board of Supervisors recessed the Public Hearings. The Planning Commission will meet briefly and return to the Board of Supervisor with their recommendations.

Motion was made by Gary D. Walker, seconded by Kay M. Pierantoni and carried with Robert L. Shook, Jr. absent and all other members present and voting yes to approve the following PPTRA Resolution for FY-2020;

In accordance with the requirements set forth in *VA. CODE ANN. §58.1-3524 C.2. and §58.1-3912 E.*, as amended by *Chapter 1 of the Acts of Assembly* (2004 Special Session I) and as set forth in *Item 503.E. (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly*, any qualifying vehicle used within the County of Charlotte, Virginia commencing January 1, 2010, shall receive personal property tax relief in the following manner:

- Personal use vehicles with assessed value of \$1,000 or less will be eligible for 26% tax relief; and
- Personal use vehicles with assessed value of \$1,001 or more shall receive only 26% tax relief on the first \$20,000 in assessed value; and
- All other vehicles which do not meet the definition of “qualifying” (such as business use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program; and
- In accordance with *Item 503.D.1. of Chapter 951 of the 2005 Acts of Assembly*, the entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior years that are made on or after September 1, 2006 shall be deemed “non-qualifying” for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

Chairman Hamlett called the meeting back to order.

Deborah Haskins, Chairman of the Planning Commission addressed the Board with the Planning Commission’s recommendations for approval of the proposed Zoning Amendment, the Conditional Use Permit Application for Stephen Kanagy with the conditions as presented, and the ViaSat Commercial Satellite Dish installation with the conditions as presented.

Motion was made by Gary D. Walker, seconded by Donna Fore and carried with Robert L. Shook, Jr. absent and all other members present and voting yes to approve the Amendment to the Zoning Ordinance, the Conditional Use Permit Application for Stephen Kanagy, and the Conditional Use Permit Application for ViaSat as suggested by the Planning Commission.

The meeting was adjourned.