

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD
IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING,
DINWIDDIE, VIRGINIA ON THE 15TH DAY OF OCTOBER, 1986
AT 7:30 P.M.

PRESENT: A.S. CLAY, CHAIRMAN	ELECTION DISTRICT #4
G.E. ROBERTSON, JR., VICE-CHAIRMAN	ELECTION DISTRICT #2
G.S. BENNETT, JR. (arrived 7:45 PM)	ELECTION DISTRICT #1
H.L. CLAY, JR. (arrived 8:37 PM)	ELECTION DISTRICT #2
M.I. HARGRAVE, JR.	ELECTION DISTRICT #3
T.O. RAINEY, III	COUNTY ATTORNEY
DONALD ADAMS	DEPUTY SHERIFF

IN RE: MINUTES

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay voting "aye", the minutes of the October 1, 1986 meeting were approved as presented.

IN RE: CLAIMS

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved and funds appropriated for same:

General Fund checks-numbering 86-2103 through 86-2243 amounting to \$139,112.46; Law Library Fund checks numbering LF-86-15 and LF-86-16 amounting to: \$172.69; Water & Sewer Fund check #W&S-86-12 in the amount of \$4,280.12; History Book Fund check #HB-86-4 in the amount of \$4.69.

IN RE: R.B. PAMPLIN CORPORATION--EVELYN ABRAHAMS SCHOLARSHIP FUND

Mr. D. Carleton Mayes appeared before the Board to announce a unitrust set up by the R.B. Pamplin Corporation with the Virginia Tech Foundation in the amount of \$936,166. Thirty (30%) percent will be distributed to the Dinwiddie Senior High School which will add approximately \$280,000 to the funds now being held for scholarships.

IN RE: 1986 CHRISTMAS PARADE

Mrs. Diane Galbreath, representing the Office on Youth and Community Services, stated the Commission would like to sponsor another Christmas parade on December 13, 1986 using the same route as last year. She requested the Board's approval to proceed with this project. The theme of the parade will be "Proud of our Past--Looking Toward Our Future".

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay voting "aye", the request by the Office on Youth and Community to sponsor a Christmas Parade on December 13, 1986 using Rt. 627 as the parade route was approved.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay voting "aye", pursuant to Sec. 2.1-344 (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 7:41 P.M. to discuss legal matters. The meeting reconvened into Open Session at 7:58 P.M.

IN RE: PUBLIC HEARING--C-86-3--CONDITIONAL USE PERMIT--JAMES GLASS

This being the time and place as advertised in the Progress-Index on Wednesday, October 1, 1986 and Wednesday, October 8, 1986 for the Board of Supervisors to conduct a public hearing to consider for approval a request by Mr. James Glass for a conditional use permit to operate a vehicle salvage yard on a 28 acre portion of land designated as Parcel 62-12A owned by Mr. Merle McCann.

Mr. Dennis Martin, Zoning Administrator, reviewed the application and the action taken by the Planning Commission which was disapproval at their August 13, 1986 meeting.

Mr. James Ritchie, Attorney, represented Mr. Glass in support of his rezoning request. Mr. Ritchie stated that Mr. Glass has an option on 28 acres owned by Mr. Merle McCann. Mr. Ritchie proceeded to describe the property indicating it is located on Rt. 605 which is a dirt road and very sparsely populated. Six acres of the property is cleared and a 1,000 foot road is cut through the woods from Rt. 605 to the site making a natural buffer. Mr. Ritchie presented photos of the site and an ASCS map pointing out that the site is a pretty remote area.

He stated Mr. Glass plans to store 75 cars and operate a repair shop. He then addressed the environmental concerns. The gas tanks will be removed and the gas and oil will be stored in large outdoor tanks until picked up by a disposal service. The batteries will also be removed and resold or picked up by a company that will take used batteries. In the meantime, they will be stored inside out of the weather. Tires will be shredded by Leete Tire and Battery and hauled to the Petersburg Landfill. He added Mr. Glass has obtained a copy of the EPA guidelines under which he must operate.

Mr. Ritchie pointed out there are no open streams on the property. He cited two recent permits approved by the Board for vehicle salvage yards and the conditions attached.

Mr. Robertson asked Mr. Ritchie if the number of vehicles would be 50 or 75. He was quoted as saying 50 in the Planning Commission minutes. Mr. Ritchie stated 50 was an error. The number would be 75.

Mr. Calvin Ellington spoke in opposition to the request. He stated he was a resident of Rt. 605 and represented the Reams Ruritan Club as well as residents in the area. He presented a color coded chart showing where the residents in the area live along with a petition of 37 names. Mr. Ellington stated they were concerned for their children and grandchildren. He stated hazardous wastes were also a concern. There are other salvage yards in the area, why not use them.

Mrs. Bertha Adams spoke in opposition. She stated she and her husband have a strawberry patch near the property and she was afraid snakes and rats would hurt her business. She added she did not think the battery acid would be disposed of as stated and further, the woods could be cut down any day.

Mr. Gene Adams stated he worked the strawberry patch for five years and had an investment of \$57,094. He said he has an irrigation line directly under the power line and the water will drain right into his pond. He presented an SCS map of the 41 acres which show a watershed from Mr. McCants' property to Mr. Adams' pond.

Mr. Robert Phillips spoke in opposition. He stated he was an adjacent landowner and had bought the property to build a house, but he would not with a junk yard there.

Mr. Ritchie responded to the opposition.

1. Regarding Mr. Ellington's statement, he said Reams Ruritan Club is on the opposite side of Rt. 605.

2. He stated there are only four (4) houses on the mile and one-half portion of Rt. 605 and one trailer. There are only 3 houses at the intersection of Rt. 605 with Rt. 670 which is 1/2 mile North of the proposed site. Mr. Ritchie stated he could not understand where 37 names came from.

3. Regarding the concerns with the strawberry patch, he stated there is 500 feet of woods between the site and the strawberry field. The area is basically flat. There are no open streams. He doubted any drainage would make it to the strawberry patch. He again stated they have plans to take care of the hazardous wastes.

4. Mr. Ritchie stated there is a shed with hay already on the property which would probably attract more rats and snakes than the salvage yard.

5. Mr. Ritchie stated there are 275 feet of woods to the South between the site and Mr. Phillips' property line.

6. Mr. Ritchie reviewed the existing salvage yards in the area:

a. Mr. Campbell in Prince George - behind scales on I-95. It is only a yard, no signs or sale or repair work.

b. Mr. Spain is 3.2 miles from the site in Prince George - no sign, no parts for sale. Appears to be just parking behind some nice homes.

c. Oak Hill site on Rt. 613 - 10.5 miles away in Dinwiddie County.

d. Russell salvage yard on Duncan Road is 12.5 miles away and has no conditional use permit.

Mr. Ritchie ended by stating he and his client feel it is a very appropriate site for a salvage yard and it can be compatible with the area.

Mr. Hargrave stated the salvage yard a couple of miles away on Rt. 618, South of Carson, was not mentioned. He said that with all the precautions you can take, it will be difficult to accomplish the safeguards needed. He then moved for denial of conditional use permit request C-86-3 for Mr. James Glass. Mr. Robertson seconded the motion.

Mr. Hargrave, Mr. Robertson, Mr. Bennett, Mr. Clay, Mr. Clay voting "aye", conditional use request C-86-3 submitted by Mr. James Glass to operate a vehicle salvage yard was denied.

IN RE: PUBLIC HEARING--REZONING APPLICATION P-86-7--ROBERT L. BOWMAN, IV

This being the time and place as advertised in the Progress-Index on Wednesday, October 1 and Wednesday, October 8, 1986 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to change the district classification of a portion of sections 21-103, 21-103A, 21-105 and 21-106, containing 12 acres from Business, General B-2 to Residential, General R-2.

Mr. Dennis Martin, Zoning Administrator, reviewed the application and the action taken by the Planning Commission at their September 10, 1986 meeting which was approval with the following conditions:

1. The main access be shifted to the eastern border of Parcel 21-105; provide two (2) exit lanes and one (1) entrance lane with a median strip between the entrance/exit lanes of 20 feet minimum. Also, a deceleration lane be provided;

2. Sewer shall be extended to the property by the applicant as approved by the Dinwiddie County Water Authority;

3. Additional right of way along U.S. Route 1, be dedicated to the County for future widening of Route 1, as approved by the Va. Dept. of Highways and Transportation.

Mr. Robert L. Bowman appeared in support of his request. He stated he planned to build townhouse-type apartments similar to the pictures he distributed of apartments in Chesterfield. They will probably rent for \$450/month. He stated the only change he would make would be to change the A-roof to a flat roof in the front. Mr. Bowman stated he felt they would be an asset to the County because there is a need. He would have competition from Petersburg. He estimated it would be a \$3,000,000 project.

He stated he had talked to Sam Martin and Mrs. Lilla Diehl and they had no objections. As to the noise concern, he stated he would be the closest resident and wanted to have something he would not mind living next to.

Mr. H. Clay asked if he had conducted a market survey. Mr. Bowman stated he had with people he knew. They would rather live in Dinwiddie than Petersburg. Mr. H. Clay asked if there was a shortage of this type of construction in the area. Mr. Bowman said yes, a 200 unit is being built in Petersburg now. Mr. H. Clay asked there would be a play area and if it would be dedicated. Mr. Bowman stated 4½ acres would be dedicated. Mr. H. Clay stated U.S. #1 was a busy place for kids to be playing near.

Mr. James Musgrove spoke in opposition and presented a petition. He stated he owned the property across the road from the proposed site. He stated he has held apartment property for 22 years and no feasibility study has shown the need for townhouses. The area is predominantly R-1, single family dwellings, and he felt it should stay that way.

Mr. Bowman stated he would like to look over the list of names in opposition. The property is now zoned for Business, not R-1. Mr. Musgrove's property is behind 2 other property owners quite a ways away. He stated the people he talked to weren't opposed. He stated Mr. Lowery was concerned about children coming over the fence. Mr. Marston is 1/4 mile away. Mr. Bowman said he felt the apartments would enhance the area.

Mr. Bennett stated he remembers the last apartment request and he voted for it. The things he is hearing now causes him to have some reservations about the apartments. He stated he was opposed to any more apartments until some are built to see where they are going. There is already R-2 land in the area if the demand was there.

Mr. Robertson stated he still felt the property should not be rezoned. Mr. H. Clay said he was concerned that the majority of the property along U.S. #1 was business. He was not sure this would be compatible for apartments.

Upon motion of Mr. Robertson, seconded by Mr. Bennett, Mr. Robertson, Mr. Bennett, Mr. Hargrave, Mr. Clay, Mr. Clay voting "aye", rezoning request P-86-7, submitted by Robert L. Bowman, IV was denied.

IN RE: SHOOTING RANGE PERMIT--RUSSELL AND LOUISE MOORE

Mr. Dennis Martin, Zoning Administrator, presented a request for a shooting range permit from Russell and Louise Moore

to hold a turkey shoot on November 1, 1986 on their property located on Rt. 642. Mr. Martin stated he visited the site and there are only 2 dwellings near the area. However, he was concerned about being so close to the road and the possibility of children in the area. He, therefore, recommended the permit be approved for one day only.

Upon motion of Mr. Bennett, seconded by Mr. H. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave, Mr. Clay voting "aye", Russell and Louise Moore were granted a shooting range permit for one day only, November 1 or November 8, 1986, to hold a turkey shoot on their property located on Rt. 642 with the conditions stated therein.

IN RE: APPOINTMENTS--ROADVIEWERS

Mr. Bennett nominated Mr. Wayne Cook. Mr. Robertson nominated Mr. Charles R. Titmus, Jr.. Mr. A. Clay nominated Mr. Charles Rideout.

Mr. Bennett, Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Clay voting "aye", Mr. Wayne Cook, Mr. Charles R. Titmus, Jr. and Mr. Charles Rideout were appointed to the Roadviewers.

IN RE: ESTABLISHMENT OF FIRE PROGRAM FUND

Wendy Quesenberry, Executive Assistant, advised the Board that the County received its first allocation under the Fire Program Fund in the amount of \$9,899.88. She requested authorization for the Treasurer to establish a Fire Program Fund Account for the funds to be deposited. She stated she would like to bring back a recommendation on how the funds should be distributed.

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Robertson, Mr. Bennett, Mr. Clay voting "aye", the Treasurer was authorized to establish a Fire Program Fund Account for the deposit of \$9,899.88 from the Department of Fire Programs.

IN RE: JOHN TYLER BOARD OF DIRECTORS

Mr. Hargrave announced that Mr. Tom Newsom declined his appointment to the John Tyler Board of Directors. The County Administrator stated it would be placed on the November 5, 1986 agenda for consideration of another appointment.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", pursuant to Sec. 2.1-344 (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:12 P.M. to discuss legal matters. The meeting reconvened into Open Session at 11:12 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Clay voting "aye", the meeting was adjourned until October 21, 1986 at 7:30 P.M.

OCTOBER 21, 1986 -- 7:30 P.M. -- CONTINUATION OF OCTOBER 15, 1986 MEETING

PRESENT:	A.S. CLAY, CHAIRMAN	ELECTION DISTRICT #4
	G.E. ROBERTSON, JR., VICE-CHAIRMAN	ELECTION DISTRICT #2
	H.L. CLAY, JR.	ELECTION DISTRICT #2
	M.I. HARGRAVE, JR.	ELECTION DISTRICT #3
ABSENT:	G.S. BENNETT, JR.	ELECTION DISTRICT #1

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Clay voting "aye", pursuant to Sec. 2.1-344 (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 7:30 P.M. to discuss legal matters. The meeting reconvened into Open Session at 8:45 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Clay voting "aye", the meeting was adjourned at 11:13 P.M.

ATTEST:



W.C. KNOTT



A.S. CLAY, CHAIRMAN